



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: August 2, 2006

Time: Closed Session 6:00 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Jennifer M. Perrin

Interim City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- b) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- c) Actual litigation: Government Code §54956.9(a); one case; Peter Rose et al. v. the City of Lodi, et al.; United States District Court, Eastern District of California, Case No. CIV.S-05-02229

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Alan Kimber, First United Methodist Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation of Resolution of Appreciation to Hayden Goni Johnson for his donation of artwork to the City of Lodi
- b) Update on Centennial activities (CLK)

E. Consent Calendar (Reading; comments by the public; Council action)

E-1 Receive Register of Claims in the amount of \$2,694,423.57 (FIN)

E-2 Approve minutes (CLK)

- a) June 20, 2006 (Shirtsleeve Session)

- E-3 Approve plans and specifications and authorize advertisement for bids for pool deck improvements at Blakely Park – Enze/Field Pool Complex, 1050 S. Stockton Street (PR)
- E-4 Approve plans and specifications and authorize advertisement for bids for Water/Wastewater Replacement Program (Project No. 3, Greater Downtown Area) (PW)
- E-5 Approve specifications and authorize advertisement for bids for polemount and padmount transformers (EUD)
- Res. E-6 Adopt resolution awarding the bid for 20,000 feet of #1/0 600-volt triplex to Hughes Utilities, of Portland, OR (\$20,817.30) (EUD)
- Res. E-7 Adopt resolution awarding contract for Municipal Service Center Additional Compressed Natural Gas Installation Project to Performance Mechanical, Inc., of Pittsburg, CA (\$44,600) and appropriate additional funds (\$10,000) (PW)
- Res. E-8 Adopt resolution awarding contracts for necessary process chemicals for the White Slough Water Pollution Control Facility to Basic Chemical Solutions, of Santa Fe Springs, CA (\$46,000), and to Polydyne, of Riceboro, GA (\$29,200) (PW)
- Res. E-9 Adopt resolution approving work by West Yost & Associates for ongoing regulatory activities at the White Slough Water Pollution Control Facility and appropriating funds (\$119,100) (PW)
- Res. E-10 Adopt resolution approving final map and improvement agreement for Interlake Square, Tract No. 3532 (north of Park Street between School Street and Sacramento Street) (PW)
- E-11 Approve fares for Cultural Homestay International (a non-profit organization) use of transit services for calendar years 2006 and 2007 (PW)
- Res. E-12 Adopt resolution authorizing the City Manager to execute an agreement with the World of Wonder Science Museum for an option to lease and a subsequent lease of retail space in the Lodi Station Parking Structure (CM)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings – None

J. Communications

- J-1 Claims filed against the City of Lodi – None
- J-2 Appointments
 - a) Appointments to the Greater Lodi Area Youth Commission (Student Appointees) (CLK)
- J-3 Miscellaneous – None

K. Regular Calendar

- K-1 Provide direction regarding land lease with the Community Partnership for Families of San Joaquin for construction of a Family Resource Center at Blakely Park and to provide 40 hours in-kind project management assistance from the Public Works Department prior to execution of the lease (CM)

- K-2 Provide direction regarding scheduling and type of action the Council may take at informal informational meetings referred to as "Shirtsleeve" City Council meetings (CM)
NOTE: This item is carried over from the meetings of 7/05/06 and 7/19/06
- K-3 Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel (\$322,793.33) (CA)
NOTE: This item is carried over from the meeting of 7/19/06
- Res. K-4 Adopt resolution amending Traffic Resolution 97-148 by approving speed limit modifications as follows (PW):
- Reduce Century Boulevard between west City limits and Ham Lane from 45 to 40 miles per hour
 - Increase Century Boulevard between Hutchins Street and Church Street from 25 to 30 miles per hour
 - Increase Kettleman Lane between Beckman Road and east City limits from 40 to 45 miles per hour
 - Reduce Loma Drive between Elm Street and Lockeford Street from 30 to 25 miles per hour
- Res. K-5 Adopt resolution authorizing the City Manager to allocate Public Benefit Programs, and/or execute contracts with professional service organizations to assist in coordinating designated Public Benefit-funded programs, as identified below for the 2006-07 fiscal year (EUD):
- Continuation of the Lodi Solar Schoolhouse Project (\$25,000)
 - Extension for one year the Lodi LivingWise Program (\$20,000)
 - Extension of the Lodi Appliance Rebate Program (\$30,000)
 - Extension of the Lodi Energy Efficient Home Improvement Rebate Program (\$70,000)
 - Extension of the Lodi Commercial Rebate Program (\$25,000)
 - Extension of the Industrial Customer High Efficiency Rebate Program (\$140,000)

L. Ordinances

- Ord. L-1 Ordinance No. 1781 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 5 – Permits And Regulations – Chapter 5.40, 'Adult-Oriented Businesses,' by Repealing and Reenacting Section 5.40.020, 'Location of Adult-Oriented Businesses,' to Add 'Residentially-Zoned Property' to the List of Land Uses Subject to Distance Regulations Regarding the Location of Adult-Oriented Businesses; and Repealing and Reenacting Section 5.40.400(D)(1) to Delete the Requirement that Employees of Adult-Oriented Businesses be Fingerprinted as Part of the Employee License Process" (CLK)
- (Adopt)
- Ord. L-2 Ordinance No. 1782 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 17 – Zoning – Chapter 17.39, 'C-2 General Commercial District,' and Chapter 17.42 'C-M Commercial-Light Industrial District,' to Add Cardrooms as a Permitted Use with a Use Permit in both the C-2 and the C-M Districts" (CLK)
- (Adopt)

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Jennifer M. Perrin
Interim City Clerk



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Presentation of Resolution of Appreciation to Hayden Goni Johnson for His Donation of Artwork to the City of Lodi

MEETING DATE: August 2, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That Mayor Hitchcock present a Resolution of Appreciation to Hayden Goni Johnson for his donation of artwork to the City of Lodi.

BACKGROUND INFORMATION: At its meeting of July 19, the City Council accepted the donation of artwork from Hayden Goni Johnson, who was the winner of the community art painting at the Lodi Arts Commission's Art on the Square event. Hayden will be at the meeting to accept the resolution in appreciation for his donation to the City.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None.

Jennifer M. Perrin
Interim City Clerk

JMP

APPROVED: _____
Blair King, City Manager



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Update on Centennial Activities

MEETING DATE: August 2, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: None required.

BACKGROUND INFORMATION: Interim City Clerk Perrin will give an update on the Centennial activities being planned for 2006.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Jennifer M. Perrin
Interim City Clerk

JMP

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Register of Claims Dated July 18, 2006 in the Amount of \$2,694,423.57

MEETING DATE: August 2, 2006

PREPARED BY: Management Analyst

RECOMMENDED ACTION: That the City Council receive the attached Register of Claims. The disclosure of the PCE/TCE expenditures is shown as a separate item on the Register of Claims.

BACKGROUND INFORMATION: Attached is the Register of Claims in the amount of \$2,694,423.57 dated 7/18/2006 which includes PCE/TCE payments of \$9,014.50 and Payroll in the amount of \$1,117,363.68

FISCAL IMPACT: n/a

FUNDING AVAILABLE: As per attached report.

Ruby R Paiste, Interim Finance Director

RRP/kb

Attachments

APPROVED: _____
Blair King, City Manager

Accounts Payable	Page	-	1
Council Report	Date	-	07/18/06
As of	Fund	Name	Amount
Thursday			

07/06/06	00100	General Fund	211,525.64
	00160	Electric Utility Fund	191,530.90
	00161	Utility Outlay Reserve Fund	1,717.13
	00164	Public Benefits Fund	1,408.09
	00170	Waste Water Utility Fund	4,472.53
	00172	Waste Water Capital Reserve	2,400.00
	00173	IMF Wastewater Facilities	13,118.75
	00180	Water Utility Fund	63,089.84
	00181	Water Utility-Capital Outlay	375.78
	00210	Library Fund	3,010.57
	00260	Internal Service/Equip Maint	3,879.00
	00270	Employee Benefits	9,183.76
	00340	Comm Dev Special Rev Fund	17,944.01
	00510	SJ MultiSpecies Habitat Conser	444.64
	01211	Capital Outlay/General Fund	444.73
	01250	Dial-a-Ride/Transportation	177.40
	01410	Expendable Trust	109,248.57

Sum			633,971.34
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Total for Week			
Sum			633,971.34

Accounts Payable	Page	-	1
Council Report	Date	-	07/18/06
As of	Fund	Name	Amount
Thursday			
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07/13/06	00100	General Fund	904,900.60
	00123	Info Systems Replacement Fund	7.03
	00160	Electric Utility Fund	80,805.20
	00161	Utility Outlay Reserve Fund	3,223.88
	00164	Public Benefits Fund	50,187.39
	00170	Waste Water Utility Fund	12,020.41
	00172	Waste Water Capital Reserve	34,539.81
	00180	Water Utility Fund	307,295.98
	00181	Water Utility-Capital Outlay	2,290.38
	00210	Library Fund	4,417.63
	00234	Local Law Enforce Block Grant	1,168.73
	00235	LPD-Public Safety Prog AB 1913	55.74
	00270	Employee Benefits	371,334.74
	00301	Other Insurance	7,606.00
	00310	Worker's Comp Insurance	19,273.04
	00325	Measure K Funds	6,081.86
	00338	IMF-Regional Transportation	22,050.00
	00340	Comm Dev Special Rev Fund	36,756.36
	00502	L&L Dist Z1-Almond Estates	1,213.33
	00503	L&L Dist Z2-Century Meadows I	1,018.33
	00506	L&L Dist Z5-Legacy I,II,Kirst	1,538.30
	00507	L&L Dist Z6-The Villas	.04
	01212	Parks & Rec Capital	2,286.00
	01250	Dial-a-Ride/Transportation	143,787.85
	01410	Expendable Trust	37,579.10

Sum			2,051,437.73
	00183	Water PCE-TCE	9,014.50

Sum			9,014.50

Total for Week			
Sum			2,060,452.23

Date - 07/18/06

Payroll	Pay Per Date	Co	Name	Gross Pay
Regular	07/02/06	00100	General Fund	820,631.94
		00160	Electric Utility Fund	139,396.77
		00164	Public Benefits Fund	5,023.95
		00170	Waste Water Utility Fund	67,696.69
		00180	Water Utility Fund	9,867.22
		00210	Library Fund	32,308.37
		00235	LPD-Public Safety Prog AB 1913	210.29
		00340	Comm Dev Special Rev Fund	39,376.28
		01250	Dial-a-Ride/Transportation	2,852.17

Pay Period Total:				
Sum				1,117,363.68



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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Minutes
a) June 20, 2006 (Shirtsleeve Session)

MEETING DATE: August 2, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council approve the following minutes as prepared:
a) June 20, 2006 (Shirtsleeve Session)

BACKGROUND INFORMATION: Attached is a copy of the subject minutes, marked Exhibit A.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Jennifer M. Perrin
Interim City Clerk

JMP
Attachments

APPROVED: _____
Blair King, City Manager

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JUNE 20, 2006**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, June 20, 2006, commencing at 7:01 a.m.

A. ROLL CALL

Present: Council Members – Beckman, Hansen, Johnson, Mounce, and Mayor Hitchcock

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and Interim City Clerk Perrin

B. TOPIC(S)

B-1 Background information regarding PCE/TCE water rate increase (PW)

Deputy City Manager Krueger reported that Council had requested a report on the impacts if the water rates for PCE/TCE were rescinded. Staff reviewed the City's assumptions from a year ago related to the decision to implement a \$3.50 per month rate increase over three phases. The bottom line was the City could not handle an impact of this magnitude for remediation costs within the water fund.

With the aid of a PowerPoint presentation (filed), Public Works Director Prima reported that one of the fundamental assumptions from last year was that the net cost for the PCE/TCE remediation was \$45 million, which included capital costs, long-term operating costs, legal expenses, settlements, and City costs on settlements. Additionally, \$12.2 million in prior expenses are in a negative sub-fund within the water fund, which represents revenues collected from water rates that should have been spent on capital improvements and will be paid back.

The reason for the settlement negotiations and lawsuits was to get responsible parties to pay; however, the anticipated amount was inadequate, and the issue became whether the City could pay from existing funds and if it could be done internally without a rate increase. Staff analyzed whether it should come from the water or sewer fund, or a combination of both, and the consultants recommended using the water fund. The various mechanisms to accomplish this were then analyzed, which included: 1) pay as you go, 2) a modified pay as you go, or 3) borrowing money. The dollar amount represents 7% of the general fund. The pay as you go alternative adjusts the rates every year based on what was spent in the prior year. This option required a reserve, which the City did not have, and would have required a rate increase up front with an adjustment every year. This would have resulted in a \$40 or higher rate increase for a period of time, and the Council was opposed to that. The modified pay as you go method smoothed out the costs over time and relied on inter-fund borrowing within the water fund, which meant that the rate increase would eventually decrease as the costs were finalized. The consultants recommended that the City not borrow money as it would add interest costs.

The City opted for the modified pay as you go alternative, which used the cash received up front from settlements that would repay the accrued expenses over a delayed period of time. The negative would be left in the water fund for three years before it was paid back. The rates were phased in: the first increase was \$3.50 in January 2006; the second increase is scheduled for July 2006, increasing it to \$7; and the third in July 2007, which will increase the rate to \$10.50. Additionally, there is a Consumer Price Index (CPI) increase, which will go into effect on July 1.

Other factors considered in the rate increase included limited revenue and lack of reserves in other funds. One of the fundamental assumptions in the rate increase was that the general fund not be used to support the water enterprise. The Council directed staff to account for the PCE costs in a separate sub-fund of the water fund and to maintain a minimum 15% reserve level.

Under capital assumptions in the water fund, capital maintenance is for infrastructure replacement, which is illustrated separately on the utility bill. Staff is attempting to increase that back to the level that had been anticipated when the rate increase was approved. Council was adamant that the rates be reinvested in the infrastructure in the older part of the community, which had suffered during the funding of the litigation; however, it could not be done all at once. There is an allowance for equipment replacement, as well as for water meters. The assumption was that the City would bear some costs in upgrading the services, but the customers would pay for the meters. Staff will be returning to Council with a presentation on how this will be accomplished, but the long-range financial planning included \$184,000 in the current fiscal year for the pilot program and \$600,000 in future years.

In response to Mayor Pro Tempore Johnson, Mr. Prima stated that the cost includes digging up the service, putting in the box, re-plumbing it, and preparing it for a meter. New development is paying for the cost of the meter. It would be simpler to only install water meters in homes that have already been plumbed for it and have paid for it; however, the City is required to plan for the entire community due to the state mandate. The total cost of the program went into the water fund, which is part of the \$12 million deficit, and the utility needs to come up with the cash to put in the meters.

Council Member Hansen added that one of the consequences of the water rates being rescinded is the impact it will have on the City's ability to install the meters. During the water rate protests, the Council heard complaints about the unfairness of the bedroom system for establishing water rates, and many people stated that having a meter would be a more accurate reflection of the cost based on their water usage.

Mr. Prima stated that, without the rate increase, the water fund in 2005 begins with a zero balance. Based on potential settlements, the fund would show a gain in 2006 and 2007 and then a decrease into the negative in 2008; therefore, the overall water fund would be negative and would require support from the general fund. With the rate increase, the water fund would increase in 2006 and 2007, and in 2008 the fund would remain positive and then continue to climb in 2009 and 2010, at which time it is anticipated the legal issues would be settled and the cleanup underway. The City would be in a positive position to estimate the long-term costs and determine the future plan for the \$10.50 increase (i.e. reduce it over time, make a large cut, etc.).

Mr. Prima outlined the breakdown of the water fund, which includes the operating fund, capital maintenance, the negative sub-fund for PCE/TCE, and the PCE/TCE cleanup fund. The negative sub-fund for the first three years remains flat due to the fact that expenses are being charged to the new PCE/TCE fund, and in 2008 the fund begins to be repaid, continuing over the next 15 years. The operating fund shows a healthy fund balance of \$6 million and the capital fund shows a \$3 million cash balance; however, when it is offset with the negative \$12 million and the PCE/TCE cleanup fund, it decreases the total balance of the water fund to zero.

Council Member Hansen questioned what the consequences would be of not paying back the \$12 million debt, to which Mr. Prima responded that it would wipe out the City's debt to itself; however, it would also decrease all of the other funds to zero to make up the deficit. Mr. Hansen pointed out that if the water rates are rescinded in November, it could result in the water meter program being delayed, infrastructure not being replaced, and the utility operating with very few capital dollars.

Council Member Mounce questioned if there were legal ramifications of not paying back the deficit and not continuing with sewer and water replacement when the City has been charging its customers each month for that service, to which City Attorney Schwabauer responded that there is no case law or statutory requirement that, if the rates are raised for infrastructure replacement, it cannot be spent on litigation. Ms. Mounce countered that the City misled the citizens, because they were informed that the rates would be raised for a specific purpose, and it was ultimately applied toward something else.

Mr. Schwabauer stated that, when the money was raised, it was intended to be spent on the infrastructure replacement program, which is still the intention.

Mayor Hitchcock added that the rates were raised in order to preserve the money that was to go toward infrastructure so that it would be used for the purpose for which it was intended.

Council Member Mounce stated that, when the City needed money, it borrowed it from the water fund. If the water rates are rescinded, the City could decide not to repay the fund. There should be a provision to prevent the City from utilizing funds for reasons other than the intended purpose.

Council Member Hansen emphasized that the City borrowed money from those funds because the rates were not increased and there was no alternative. He clarified that he is not advocating that the City write off the deficit, but is instead demonstrating the potential consequences to the water rates being rescinded.

City Manager King stated that the money provided a short-term solution without raising rates to advance PCE/TCE costs. Had the money not been available, Council would have been presented with the options of either taking the money out of the general fund or raising the rates. When the fund reached zero, there was no money in the infrastructure replacement sub-fund or within the water or sewer funds, and Council determined it would need to raise the rates. If the rate increase is not sustained, the options would be to continue to absorb 100% of the infrastructure replacement amount or use the general fund, which would result in a significant impact on the City.

Mayor Hitchcock stated that, when she initially asked about the impacts of the water rates being rescinded, her intention was not to revisit the water fund or change the Council's decision. If this measure passes, the City will be forced to refund the citizens what it has collected over the span of a year, and she asked what the impacts would be on the general fund.

City Manager King stated that this would be a Council policy decision. With the modified pay as you go approach, it would equate to \$3 million, and there are various options to consider. The City could make reductions across the board, which would represent a 7% reduction in each department, or it could identify specific departments or programs that would absorb the majority of the increase, which would eliminate particular services or programs. If the City were to grow itself out, it would need \$300 million in sales tax in order to receive \$3 million of revenue, which would mean the City would have to grow its retail tax base by one third. The amount of property tax needed would be double the amount of housing units currently in the city. Another option suggested by some is the elimination of waste, and the City has been more aggressive in dealing with employee disciplines and in trying to get a more productive workforce.

Mr. King outlined the following possibilities for reductions (i.e. both for targeted services and for across the board reductions):

Parks and Recreation Department

- Eliminate the parks component, which would cease all maintenance of parks.
- Eliminate the recreation component, and the City could realize \$500,000 to \$800,000 in cost savings; however, there would be no recreational activities.

Hutchins Street Square

- Eliminate the entire department; however, the City would not realize the same level of savings.
- Eliminate the arts grants, Greater Lodi Area Youth Commission, and the First Friday Art Hops.

Public Works Department

- Eliminate eight positions, including facility services and engineering inspections.
- Eliminate services and programs such as graffiti abatement, downtown clean up, and landscape and maintenance along the rights of way.
- Reduce the street sweeping program by 50%.

Fire Department

- Eliminate one fire station.

Police Department

- Eliminate downtown bicycle patrol, which would equal two police officers.
- Significantly reduce the traffic unit, which presently employs three police officers and one sergeant.
- Eliminate the school resource officers or request the school district pay those costs.
- Reduce the special investigations unit.

Library

- Reduce library hours from 64 to 53.
- Close the library on Sundays and on Thursday evenings and be open only four hours on Saturdays.
- Eliminate programs such as the toddlers reading time, book club, and teen program.
- Reduce the library collection by 10%.

Mr. King pointed out that across the board cuts will severely impact the larger departments, such as police and fire. If Council chose to cut department by department, the larger departments would remain generally intact, but it would be the quality of life departments that would take severe reductions or eliminations. Even programs that are fee supported would be impacted as they are not 100% fee supported.

In response to Mayor Pro Tempore Johnson, Mr. King agreed that these are real possibilities. There is no budget surplus in the water, sewer, electric, or general funds to help mitigate the cuts.

Council Member Hansen indicated that some of the consequences outlined by the City Manager would not disturb those who do not utilize the library, Hutchins Street Square, or Parks and Recreation programs; whereas, other segments of the community would be extremely upset. In response to Mr. King's comment regarding the option to outgrow the problem, the chance of that becoming a reality is slim due to the continually increasing cost of doing business, which has an impact on the growth process.

Mayor Pro Tempore Johnson added that the opportunity for growth becomes less attractive the further the City falls behind in its ability to provide a healthy, appealing community.

Mayor Hitchcock requested that staff provide a breakdown of the \$8 million for litigation, settlements, and state oversight, to which Mr. Prima responded that the information would be provided to Council in a closed session meeting. She further stated that her expectation is for staff to present its best recommendation as "Plan B" should the rates be rescinded and allow Council to discuss the consequences and take action.

Council Member Beckman questioned how detailed she wanted the plan to be, to which Mayor Hitchcock stated that it could be very similar to the list that Mr. King provided today.

Mr. Beckman stated that he would prefer to see general recommendations for reductions and did not want staff to make decisions that Council will have to make or to prepare a second budget.

Mayor Hitchcock suggested that the City Manager present two general plans: one that cuts across the board and one that eliminates all but public safety.

Council Member Hansen stated that, if the water rates are rescinded, these issues will be dealt with in early 2007, at which time there could be three new Members on the Council with a new philosophy and approach. He believed that it would be premature to go through this in detail now and that the list presented by City Manager King provides a general articulation of what the impacts would be.

Mayor Pro Tempore Johnson expressed his opinion that the information presented today was acceptable for the present time.

Mayor Hitchcock stated that she would like to answer citizen inquiries on the water rate reduction measure using prepared information, to which Mr. King responded that he would compose a list of the various options.

PUBLIC COMMENTS:

- Felix Huerta, business agent for the American Federation of State, County, and Municipal Employees, suggested that the information regarding legal and state oversight expenses were public information and perhaps should not be presented in closed session. He further questioned the percentage amount of the CPI and the capital assumption of 2.4% and why there were two different cost factors.

In regard to the expense information, City Attorney Schwabauer responded that some of the expenses are public information; however, the expense figure of \$45 million includes the budgeted amount for expected future settlements. While the City can disclose past settlement figures, it does not disclose how much money has been budgeted to settle future settlements, which would alert negotiating parties and subsequently encourage the highest possible settlement.

Public Works Director Prima stated that the resolution adopted by Council regarding the water and sewer rates called for future increases to match the CPI, at whatever the amount is at the time. The capital percentage assumption of 2.4% is used for long-range planning projections.

B-2 Continued presentation of the fiscal year 2006-07 recommended draft budget (CM)

City Manager King requested that the City Council take a straw poll on where it stands on the various budget deviations raised by Council Members, which would assist staff in making the necessary modifications to the budget prior to adoption.

Mr. Krueger reported that the draft budget included the contribution to the Lodi Conference and Visitors Bureau (LCVB) in the amount of \$94,100. The request from LCVB was for a gradual reduction of \$15,000 per year over the next three years, which would ultimately bring its contribution to \$78,500 in three years.

Mayor Hitchcock expressed her discomfort with the request for direction as it went beyond the scope of a Shirtsleeve Session, which was designed for Council to receive information only. She requested that the City Attorney advise the Council on this issue.

City Attorney Schwabauer responded that developing collective concurrence is not the purpose of a Shirtsleeve Session and that it should instead be advertised as a special meeting.

City Manager King stated that his perspective is that the Shirtsleeve Session is posted as a regular meeting pursuant to the Brown Act 72 hours in advance and the public is capable of determining that an issue of importance is to be discussed. Council is not being asked to make binding decisions. The Lodi Municipal Code is confusing as it states the meeting is informal; however, there is no state code that defines an informal meeting. He suggested that Council address the purpose of Shirtsleeve Sessions in the near future.

Council Member Beckman stated that he viewed the Shirtsleeve Sessions as an opportunity for staff and Council to dialog but not take formal action.

Council Member Hansen agreed with Mr. Beckman's perspective. In regard to the LCVB funding level, he believed that the proposal by LCVB was reasonable and he was comfortable with the recommended \$15,000 reduction over a longer period of time. In regard to graffiti abatement, police, and fire, he agreed with the staff recommendations.

Mr. Krueger clarified that the LCVB amount would be \$108,500 and he would make the necessary adjustments. In order to accurately reflect the number of positions in the police and fire departments, the amount that was anticipated to be transferred to the vehicle replacement fund would be reduced in order to accomplish those adjustments.

Council Member Hansen requested clarification whether this adjustment was in regard to the 78th position in the Police Department. The Police Chief believed he had an opportunity to receive 100% grant funding for that position, and Mr. Hansen was satisfied with the Chief's recommendation.

Mr. King replied in the affirmative and stated that the error in the draft would be corrected in the final budget to show 77 positions. Should the Police Chief obtain 100% grant funding for a 78th officer, staff would proceed with filling that position.

Mr. Krueger stated that, in the case of the Fire Department, his analysis determined there was an opportunity to reduce the salary amounts; however, that was not an appropriate assumption. The difference will be corrected in the resolution presented to Council at final adoption of the budget.

Council Member Mounce expressed support for keeping the graffiti abatement level at 50% in order to keep the service at the current level.

Mr. Prima stated that he and Community Development Director Hatch have initiated discussions on whether there is a better method of delivering the service and will return to Council with alternatives.

City Manager King stated that Council has the option to add additional funds in the budget for the service or it could trade out the economic development position and use that money to fund the service. Another alternative to consider is using Community Development Block Grant (CDBG) funding for graffiti abatement; however, doing so would shift CDBG money away from brick and mortar type projects.

PUBLIC COMMENTS:

- Myrna Wetzel commented that the problems with graffiti are not limited to the east side. She questioned if there were liability issues associated with using volunteers to assist in the abatement.

City Manager King stated that it is preferred that graffiti abatement services remain with the public entity and not be handled by volunteers.

Council Member Hansen expressed support for maintaining the graffiti abatement level at 50%, to which Mr. Krueger clarified that restoring the 10% would cost \$60,000 versus \$48,000.

Mayor Hitchcock reiterated her discomfort with this discussion and suggested that, if Council prefers the meetings to be for consensus and decision making, they should be conducted at a time that allows for public participation.

Continued June 20, 2006

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:30 a.m.

ATTEST:

Jennifer M. Perrin
Interim City Clerk



CITY OF LODI

COUNCIL COMMUNICATION

TM

AGENDA TITLE: Approve plans and specifications and authorize advertisement for bids for pool deck improvements at Blakely Park – Enze/Field Pool Complex, 1050 S. Stockton Street

MEETING DATE: August 2, 2006

PREPARED BY: Parks and Recreation Director

RECOMMENDED ACTION: That the City Council approves plans and specifications and authorize advertisement for bids for pool deck improvements at Blakely Park – Enze/Field Pool Complex, 1050 S. Stockton Street.

BACKGROUND INFORMATION: The project was part of the Parks and Recreation Department 2006-2007 Community Development Block Grant program request. At the March 1, 2006, City Council meeting, Council adopted Resolution 2006-36 approving the projected use of funds for the 2006-07 federal allocation of CDBG and HOME funds and reallocated available funds from previous program years for this and other projects.

The Enze/Field Pool Complex will consist of applying an epoxy stone surface over the existing concrete pool deck which has cracking and uneven surfaces. The new non-skid surface will provide an attractive and uniform surface with ultraviolet inhibitors allowing it to withstand all climates. Plans and specifications are on file in the Parks and Recreation office.

Staff is bringing this item before you at this time, so that work will begin shortly after swim season ends at Blakely Pool. It is very critical that the specified materials are installed prior to winter.

FISCAL IMPACT: There is no direct impact to the Parks and Recreation Department budget for the Enze/Field Pool Complex pool deck improvements. Community Development Block Grant funds will be supporting the improvements of this project in its entirety.

FUNDING: 2006-2007 CDBG Funds \$100,000.00

Ruby Paiste, Interim Finance Director

Tony C. Goehring
Parks and Recreation Director

Joseph Wood
Community Improvement Manager

Prepared by Steve Virrey, Parks Project Coordinator

TG/SV:tl

cc: City Attorney
Purchasing Officer

Community Improvement Manager
Park Superintendent

Sr. Civil Engineer Fujitani
Parks & Recreation Management Analyst

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for Water/Wastewater Replacement Program (Project No. 3, Greater Downtown Area)

MEETING DATE: August 2, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council approve the plans and specifications for the above project and authorize advertising for bids.

BACKGROUND INFORMATION: The Water and Wastewater Improvement Program is intended to systematically replace and, where needed, upgrade existing water and wastewater infrastructure. The wastewater pipelines are mostly constructed of terracotta or concrete pipe and the waterlines are largely constructed of small diameter, cast iron or steel pipe. The majority of these pipes are in need of rehabilitation and/or replacement. Project No. 3 is the third project scheduled in this program and will focus on rehabilitating wastewater mains that are located in the greater Downtown area. A number of water and wastewater mains in the core Downtown area were rehabilitated as part of other projects.

Once completed, the improvements will enhance the level of service associated with the wastewater system by increasing reliability, eliminating exfiltration due to leaky pipe joints, and decreasing maintenance costs. As with Projects No. 1 and 2 which were located in the general area of east of Stockton Street and north of Kettleman Lane, staff is again recommending the use of trenchless methods of rehabilitation for Project No. 3 to minimize both surface disruption and costs.

Project No. 3 includes in-place (trenchless) rehabilitation of approximately 12,500 linear feet of 6-inch diameter wastewater main, the rehabilitation of 65 manholes, and the reconnection of 300 wastewater laterals.

This project is funded by Environmental Protection Agency (EPA) Grant funds requiring National Environmental Policy Act (NEPA) compliance. In accordance with the EPA procedures for implementing NEPA 40 CFR Part 6, the EPA has determined the project is eligible for a categorical exclusion under 40 CFR § 6.107 and is exempt from the substantive environmental review requirements of NEPA (42 U.S.C. 4321 *et seq.*).

The plans and specifications are on file in the Public Works Department.

FISCAL IMPACT: This work is partially funded by an EPA State and Tribal Assistance Grant (STAG) account for water, wastewater and groundwater infrastructure projects. The grant will fund 55% of the project construction costs up to \$385,700. Since the project costs are estimated at \$850,000, the

APPROVED: _____
Blair King, City Manager

maximum grant amount will be utilized and the matching project costs (\$464,300) will be funded by wastewater capital outlay funds. Completing this project will reduce future maintenance costs and increase the performance and reliability of the wastewater system.

FUNDING AVAILABLE: Funding for this project will be coming from the Wastewater Main Replacement Funds and EPA Grant Funds. A request for appropriation of funds will be made at contract award.

Project Estimate:	\$ 850,000
EPA Grant Funds:	\$ 385,700
Local Wastewater Funds:	\$ 464,300
Budgeted:	05/06 fiscal year
Planned Bid Opening Date:	August 2006

Ruby Paiste, Interim Finance Director

Richard C. Prima, Jr.
Public Works Director

Prepared by Charlie Swimley, Senior Civil Engineer

RCP/CES/pmf

cc: Joel Harris, Purchasing Agent
F. Wally Sandelin, City Engineer
Paula J. Fernandez, Senior Traffic Engineer
Wes Fujitani, Senior Civil Engineer
Sharon A. Welch, Senior Civil Engineer



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve specifications and authorize advertisement for bids for polemount and padmount transformers (EUD)

MEETING DATE: August 2, 2006

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: That the City Council approve the attached specifications, and authorize the advertisement for bids for polemount and padmount transformers for the Electric Utility Department.

BACKGROUND INFORMATION: Manufacturers of distribution transformers are reporting delivery lead-times in excess of forty weeks for certain types of polemount and padmount units used in the City's electric system.

It is therefore necessary to solicit bids for the Department's anticipated needs for mid-2007.

Staff recommends advertisement for bids for the following transformers:

Polemount: 9 ea 37.5kVA single-phase circuit protected 120/240V secondary
13 ea 50kVA single-phase circuit protected 120/240V secondary
5 ea 25kVA single-phase conventional 120/240V secondary

Padmount: 1 ea 150kVA three-phase 208Y/120V secondary
1 ea 225kVA three-phase 480Y/277V secondary
3 ea 500kVA three-phase 480Y/277V secondary

FISCAL IMPACT: Initial cost (estimated \$80,000, payment after delivery) is expected to be recovered through future power sales.

FUNDING: Electric Utility Department 2006-2007 Financial Plan and Budget.

George F. Morrow, Electric Utility Director

Prepared by Joel Harris, Purchasing Officer
cc: Electrical Engineer, EUD

APPROVED: _____
Blair King, City Manager

4.000 GENERAL REQUIREMENTS

Electrical design and materials shall conform to the latest EEI-NEMA and ANSI Standards. It is the intent of these specifications to describe equipment of the best design and construction, for the service for which it is intended. Consequently, it shall be the City's desire to award contracts to the bidder who has demonstrated high quality by having a considerable number of transformers of bidder's manufacture in service on the lines of electrical utilities over a period of years.

4.001 TESTS

Transformers shall receive at least the following tests in accordance with the applicable ANSI and NEMA Standards:

- | | |
|---------------------------|--|
| (1) Load and no-load loss | (5) Applied and induced potential test |
| (2) Exciting current | (6) Impulse voltage test |
| (3) Polarity Check | (7) Tank pressure test |
| (4) Ratio check | |

4.002 SERVICE

The manufacturer shall own and operate a service shop in this vicinity, or the bidder may submit evidence of a repair contract with an approved service shop in this vicinity, which has been in effect for a period of at least one year. (For the purpose of this specification, "vicinity" shall mean within a 200-mile radius of the City of Lodi).

4.003 GUARANTEE

The Manufacturer shall guarantee all equipment delivered under these specifications against any and all defects in material and/or workmanship for a period of at least one year from date of acceptance. Manufacturer shall rectify all such defects by repair or replacement at manufacturer's sole expense and shall assume responsibility for associated shipping costs.

4.004 TECHNICAL INFORMATION

The following specifications shall be met:

1. **Insulation level:** 95 kV BIL (min).
2. **Insulation rating:** 65° C rise.
3. **Paint:** All exterior surfaces shall be painted ANSI 70 gray, using a system of coordinated and thoroughly tested materials and application techniques that will assure long life. Special attention shall be given to welds, seams, edges and rough spots.
4. **Lifting Lugs:** Lifting lugs shall be provided on the tank and shall be located in such a way to avoid interference between lifting slings and any attachments on the transformer and to avoid scratching the transformer coating.

5. **Tank:** Tanks shall be tested at a pressure equal to or greater than the maximum operating pressure and for a sufficient period of time to insure that all welds are free from leaks. Tank construction shall be consistent with good manufacturing and design practices prevalent in the transformer industry, and together they should contribute to a high quality product.
6. **Nameplates:** Stainless steel or anodized aluminum nameplate shall be securely attached to the transformer by means of metal screws, rivets or similar mechanical device(s). The letters and numbers shall be stamped or engraved on the nameplate. The nameplate shall include the words; "Fluid is less than one p.p.m. PCB," (refer to Section 4.006). The instruction nameplate shall contain the information specified in Section 5.12 of ANSI Standard C57.12.00-1993, or latest revision.
7. **Sound level:** The sound level shall be equal to or better than EEI-NEMA Standards.
8. **Size:** Size of the transformer, including radiators (fins), shall not interfere with installation or G.O. 95 requirements when banked together on cluster bracket (Dixie Electric P-538 or approved equal).
9. **Pressure Relief Valve:** The pressure relief valve shall be located a minimum horizontal distance of four (4) inches from the vertical centerline of the transformer hanger brackets.
10. **Height and Weight:** Height and weight of the transformer shall be as listed below:

Size (kVA)	Maximum Weight (lbs.)	Maximum Height (inches) including bushings
15	400	45
25	500	45
37.5	625	48
50	800	51
75	1,100	51
100	1,200	51
167	1,600	51

4.005 LOSSES

Losses will be considered in the evaluation of this bid as follows:

No-load (core) loss @ \$3.75/watt
Load (winding) loss @ \$1.25/watt

The cost of losses will be added to the equipment price (bid price) F.O.B. Lodi, including maximum escalation and tax, to determine the evaluated low bid of vendor otherwise meeting these specifications. All bidders shall supply the following guaranteed loss data for use in the evaluation, in addition to other data listed in the specifications:

1. No-load losses in watts at rated secondary voltage.
2. Load losses in watts at rated secondary voltage and rated load. The standard reference temperature for load loss shall be 85° C.

3. Upon request, furnish certification/statement of the guaranteed loss measurement error of the test equipment and measurement method to be used, including the basis for determination of the accuracy of the test equipment and measurement method.

The successful bidder shall supply a certified test report of actual losses of the unit(s) to be supplied. The no-load and load losses for each group (type and size) of transformer(s) will be averaged separately within their respective categories (no-load and load losses). If the averaged tested no-load (core) and/or load (winding) losses of the transformer group exceed the watt losses quoted in the proposal, the contract price shall be reduced by the above amounts per watt of actual group averaged no-load and/or actual load loss in excess of that quoted in the proposal. No-load loss penalties will be evaluated separately from load loss penalties. No additional payment will be made to the manufacturer or bidder for actual losses lower than the losses quoted in the proposal.

Certified test report of losses shall be submitted by the manufacturer prior to or at the time of shipment of the transformer.

4.006 PCB CONTENT

Transformer fluid shall be guaranteed to contain less than one p.p.m. by weight (mg/kg) polychlorinated biphenyls (PCB). Certified test report of PCB content shall be produced upon request. The transformer nameplate shall include the words; "Fluid is less than one p.p.m. PCB."

4.007 INSULATING FLUID

1. **Type:** The transformers shall be shipped completely filled with insulating fluid (oil). The oil shall be inhibited, prepared, and refined such that it is compatible with existing acid refined oils and with other oils available at the time of delivery. The oil shall be a Type II, antioxidant, inhibited mineral oil (minimum) meeting ANSI/ASTM D3487, latest revision.
2. **MSDS:** Material Safety Data Sheets (MSDS) shall be submitted with each shipment of transformers. The manufacturer/bidder shall indicate the transformer serial number(s) for which the MSDS is applicable.

4.100 SINGLE PHASE UNITS

4.101 GENERAL

In addition to that specified in Sections 4.000-4.007, transformers shall be provided with the following:

1. High Voltage Bushings (Porcelain):
 - a. Quantity: Two
 - b. Bushing terminals to be clamp-type suitable for use with copper and aluminum conductor.
2. Low Voltage Bushings:
 - a. Quantity: 277-volt: Two
All others: Three
 - b. Shall be tank wall-mounted.
 - c. Bushing terminals: 100 kVA and lower: Shall be clamp-type suitable for use with copper and aluminum conductor. Over 100 kVA: Shall be NEMA-4 pads (4-hole)

3. Pressure relief valve: Qualitrol 202-030-01, or an approved equal.
4. Lifting lugs shall be welded to the tank.
5. Provide tank grounding pad and a visible tank-to-cover ground strap.
6. Hanger brackets, welded to the tank.
7. Hanger brackets shall permit bolting of transformer directly to pole.
8. Single phase, 60Hz, OISC.

4.102 RATINGS AND DESIGN

Transformers shall have the following ratings and design:

1. Distribution type, pole-bolted transformer.
2. 12,000-Volt Delta primary.
3. Single phase.
4. Without arresters and taps.
5. Conventional or CP type as specified on proposal form. CP transformers to have one weak link (fuse) per primary bushing and a breaker on the secondary side.
6. Secondary voltage to be as specified on the proposal form.
7. kVA rating to be as specified on the proposal form.

4.000 GENERAL REQUIREMENTS

Electrical design and materials shall conform to the latest EEI-NEMA and ANSI Standards for Oil-Filled Equipment. It is the intent of these specifications to describe equipment of the best design and construction, for the service for which it is intended. Consequently, it shall be the City's desire to award contracts to the bidder who has demonstrated high quality by having a considerable number of transformers of the bidder's manufacture in service on the lines of electrical utilities over a period of years.

4.001 TESTS

Transformers shall receive at least the following tests in accordance with the applicable ANSI and NEMA Standards:

- | | |
|--------------------------|---------------------------------------|
| 1. Load and No-load loss | 5. Applied and induced potential test |
| 2. Exciting current | 6. Impulse voltage test |
| 3. Polarity check | 7. Tank pressure test |
| 4. Ratio check | |

4.002 SERVICE

The manufacturer shall own and operate a service shop in this vicinity, or the bidder may submit evidence of a repair contract with an approved service shop in this vicinity, which has been in effect for a period of at least one year. (For the purpose of this specification, "Vicinity" shall mean a 200-mile radius of the City of Lodi).

4.003 GUARANTEE

The manufacturer shall guarantee all equipment delivered under these specifications against any and all defects in material and/or workmanship for a period of at least one year from date of acceptance. The manufacturer shall rectify all such defects by repair or replacement at the manufacturer's sole expense and shall assume responsibility for associated shipping costs.

4.004 TECHNICAL INFORMATION

1. **Insulation level:** 95 kV BIL (min.).
2. **Insulation rating:** 65° C rise.
3. **Ground lugs:** Two (2) ground lugs which accepts a range of #4 to 1/0 AWG copper shall be provided.
4. **Paint:** The coating system shall be in accordance with ANSI C57.12.28, latest revision. The finish color shall be Munsell Green No. 7GY3.29/1.5 (olive). Special attention shall be given to welds, seams, edges and rough spots.
5. **Lifting lugs:** Lifting lugs shall be provided on the tank and shall be located in such a way to avoid interference between lifting slings and any attachment on the transformer and to avoid scratching the transformer coating. On single phase units, the lifting lugs may be removable.

6. **Tanks:** Tanks shall be tested at a pressure equal to or greater than the maximum operating pressure and for a sufficient period of time to insure that all welds are free from leaks. Tank and radiator construction shall be consistent with good manufacturing and design practices prevalent in the transformer industry, and together they should contribute to a high quality product.
7. **Nameplates:** Stainless steel or anodized aluminum nameplate shall be securely attached to the transformer by means of metal screws, rivets or similar mechanical device(s). The letters and numbers shall be stamped or engraved on the nameplate. The nameplate shall include the words, "Fluid is less than one p.p.m. PCB, at time of manufacture", refer to section 4.006. The instruction nameplate shall contain the information specified in Section 5.12.2 of IEEE (ANSI) C57.12.00, latest revision. Bushing and fuse designations shall be marked by stenciled lettering on the tank. Decals will not be accepted.
8. **Sound level:** The sound level shall be equal to or less than that specified in EEI-NEMA Standards.

4.005 LOSSES

1. **No-load:** No-load (core) loss @ \$3.75/watt
2. **Load:** Load (winding) loss @ \$1.25/watt
3. **Evaluation:** The cost of losses will be added to the equipment price (bid price) F.O.B. Lodi, including maximum escalation and taxes, to determine the evaluated low bid of vendor otherwise meeting these specifications.
4. **Guaranteed Loss Data:** Bidders shall supply the following guaranteed loss data for use in the evaluation, in addition to other data listed in the specifications:
 - A. No-load losses in watts at rated secondary voltage.
 - B. Load losses in watts at rated secondary voltage and rated load. The standard reference temperature for load losses shall be 85° C.
 - C. Upon request, furnish certification/statement of the guaranteed loss measurement error of the test equipment and measurement method to be used, including the basis for determination of the accuracy of the test equipment and measurement method.
5. **Certified Test Report:** The successful bidder shall supply a certified test report of actual losses of the unit(s) to be supplied. The no-load and load losses for each class (type and rating) of transformer(s) will be averaged separately within their respective categories (no-load and load losses). If the average tested no-load (core) and/or load (winding) losses of the transformer class exceed the watt losses quoted in the proposal, the contract price shall be reduced by the above amounts per watt of actual class averaged no-load and/or actual load losses in excess of that quoted in the proposal. No-load loss penalties will be evaluated separately from load loss penalties. No additional payment will be made to the manufacturer or bidder for actual losses lower than the losses quoted in the proposal.
6. **Certified Test report of Losses:** The manufacturer shall submit certified test reports of losses prior to or at the time of shipment of the transformers.

4.006 PCB CONTENT

Transformer fluid shall be guaranteed to contain less than one p.p.m. by weight (mg/kg) polychlorinated biphenyls (PCB). Certified test report of PCB content shall be produced upon request. The transformer nameplate shall include the words, "Fluid is less than one p.p.m. PCB at time of manufacture".

4.007 DIMENSIONS and DRAWINGS

The overall dimensions of the units (height, width, depth – height only for single-phase units) will be considered in the evaluation of the bid. For three-phase units, the bidder shall submit drawings of the units proposed in the bid.

4.008 LABELING

The transformers shall be shipped without the Safety Labels per NEMA No. 260-1991. The City will affix its personalized "Mr. Ouch" label(s).

4.009 INSULATING FLUID

1. **Type:** The transformers shall be shipped completely filled with insulating fluid (oil). The oil shall be inhibited, prepared, and refined such that it is compatible with existing acid refined oils and with other oils available at the time of delivery.
The oil shall be a Type II, antioxidant, inhibited mineral oil (minimum) meeting ANSI/ASTM D3487, latest revision.
2. **MSDS:** Material Safety Data Sheets (MSDS) shall be submitted with each shipment of transformers. The manufacturer/bidder shall indicate the transformer serial number(s) for which the MSDS is applicable.

4.010 PADMOUNT EQUIPMENT ENCLOSURES

A typical padmount equipment enclosure consists of a surrounding case or housing for the equipment to prevent unauthorized access, to protect people against accidental contact with energized parts and to protect equipment against weather hazards. The enclosure is mounted on a pad, above ground level, and may be ventilated to permit circulation of air.

Entry into the enclosure shall be through either access door(s) or hood(s) as specified.

1. **Structural Strength and Integrity Test:** The structural strength and integrity test shall comply with the latest NEMA and ANSI Standards for testing, design and enclosure security.
2. **Construction shall be such that:**
 - A. It prevents the entry of foreign objects, such as sticks, rods or wires.
 - B. It inhibits dismantling of the equipment.
 - C. It is free of areas which could provide access by forcing techniques.

- D. Panels shall be fastened or hinged to resist disassembly, breaking or prying open from the outside. Normal entry shall be possible only with the use of proper access tools. Latches and other provisions for locking hinged panels shall be furnished.
- E. There shall be no exposed screws, bolts or other fastening or hinging devices which are externally removable (with the exception of penta head bolts provided for extra security) that would provide access to energized parts of the enclosure.
- F. The transformer tank and enclosure shall be constructed of minimum 14 gauge steel. The radiator(s) to be constructed of minimum 18 gauge steel.
- G. In addition to the regular locking provisions, all access doors shall be secured by a recessed, captive, penta head bolt. A penta head bolt will be considered "captive" when the retention scheme will prevent it from being readily removed during normal operation of the door(s) or hood(s). The recess is to be non-rotating. The dimensions of the penta head bolt and non-rotating recess shall comply with Figure 1 of ANSI C57.12.28, latest revision. If all doors can be secured with a single bolt, one bolt will be sufficient.
- H. Each latched door(s) shall be latched at a minimum of three points. In addition to the three point latching, one penta head bolt shall be coordinated with the latch and padlock to prevent unlatching and insertion of the padlock into the hasp when and until the bolt head is completely seated. Low profile cabinets, with access flip-up hoods, need only padlock and penta head bolt provisions, and shall be coordinated to prevent insertion of the padlock into the hasp until the bolt head is completely seated.
- I. The padlocking device shall be so designed and located as to resist prying or breaking off by screwdrivers, wrecking bars, tire irons, single-socket lug wrenches or other readily accessible tools.
- J. The edges of the access doors or hoods shall be formed to provide: a) close fitting mating surface, with internal insertion prevention lip and b) rigid panel which, in conjunction with a handle-linkage-latching mechanism with three (or more) point latching, will resist bending in the event sufficient force is applied to distort the compartment door(s) and permit prying access to the door edges.
- K. Hinge pins shall be passivated AISI (American Institute of Steel Industries) Type 304 stainless steel, or approved equal.
- L. Handhole covers, if exposed when the enclosure is secured, shall be secured from the inside of the enclosure.
- M. The bottom edge of the enclosure shall provide for flush mounting on a flat, rigid mounting surface to prevent wire entry into the compartment.

4.011 FUSES

The transformers shall be fused with RTE® Bay-O-Net fuse assemblies and in series Isolating Links. The fuse and link sizes are shown in tables A and C, respectively, for single-phase and three-phase units. The Bay-O-Net assembly shall be Cooper Power Systems with Flapper™ valve or ABB "DO III" with vent hole and check valve.

An oil drip system similar to RTE® drip guard or a metal tray mounted on the tank wall below the fuse holder entrance shall be supplied. The metal tray shall be designed such that any insulating fluid captured in the tray will not drain onto bushings and/or cable assemblies located below the drip tray. Fastening of an oil drip device to the fuse assembly with a “U” bolt is not acceptable. Fuse element(s) shall not be installed, but supplied in a bag attached to the fuse holder handle. If the manufacturer desires to install the fuse(s) an additional fuse(s) of the size and type specified shall be supplied in a bag attached to the fuse holder handle.

4.012 PRESSURE RELIEF DEVICE

An automatic pressure relief device shall be provided, having the characteristics and installed in accordance with ANSI C57.12.26, latest revision.

4.100 SINGLE PHASE UNITS

Does not apply to this bid.

4.200 THREE PHASE UNITS

4.201 ENCLOSURE

Transformer enclosure to be in conformance with section 4.010, of this specification.

Maximum transformer height shall not exceed values listed in Table B, below.

High and low voltage compartments shall be separated, the low voltage compartment door shall be equipped with a locking handle. In addition, the doors shall be so arranged that access to the high voltage compartment can be gained only after opening the low voltage compartment door. The doors shall be removable.

Cables shall enter and leave the transformer from below through openings in a concrete pad.

Table B
Transformer Height

Transformer kVA	Height (maximum) Inches
300 kVA and below	65
500 kVA	75
750 kVA and above	90

4.202 TERMINALS

Primary: Primary bushing and parking stand positions shall be in accordance with ANSI Standard C57.12.26, Figure 1, latest revision.

Secondary:

1. The low voltage bushing arrangements and clearances shall be in accordance with ANSI Standard C57.12.26, latest revision, Figure 8a (Staggered Low-Voltage Terminal Arrangement). For units 225 kVA and below, Figure 4a is acceptable.
2. The neutral terminal shall be a fully insulated bushing.
3. Low voltage terminals on units rated 300 kVA and above shall be equipped with bushing supports. The bushing supports shall be attached to the end of the spade. The support shall not hinder or interfere with any cable lugs to be attached to the spade at any of the hole locations.
4. The low voltage terminals shall be NEMA spade terminals per ANSI Standard C57.12.26, latest revision, Figure 9a, 9b, 9c or as specified below:

225 kVA units and below: four (4) hole NEMA spade terminals.

300 kVA units: six (6) hole (minimum) supported NEMA spade terminals.

500 kVA units: eight (8) hole (minimum) supported NEMA spade terminals.

750 kVA units and above: ten (10) hole supported NEMA spade terminals.

4.203 STANDARD ACCESSORIES

In addition to that specified in sections 4.000 – 4.012, of this specification, the transformers shall be provided with the following:

1. Pressure relief valve.
2. Liquid level gauge, drain valve with sample valve and oil filler plug. Drain valve to be located in the high voltage compartment.
3. Parking stands (3) for each high voltage elbow terminator.
4. Three (3) high voltage universal bushing wells. The bushing wells shall comply with all applicable requirements of ANSI/IEEE 386, latest revision, and shall be fixed stud type.
5. Bay-O-Net fuse assembly and Isolation link (see Table C below for ratings).

4.204 IMPEDANCES

Transformer impedances shall not be less than the following:

150 kVA and below	2.0 %
225 kVA and 300 kVA	3.5 %
500 kVA	4.0 %
750 kVA and above	5.3 %

4.205 RATINGS AND DESIGN

1. Dead front, radial feed with three (3) universal bushing wells.
2. Voltage: 12,000 volt Delta connected primary.
3. Single-phase, 60 Hz, OISC.
4. 500 kVA and larger units only:
 - A. On-Off loadbreak, gang operated, oil immersed switch.
 - B. Switch handle with eye for operation with hot stick shall be located in high voltage compartment.
5. Transformers shall be provided with RTE dual sensing Bay-O-Net #4000358C() or current sensing #4000353C() or approved equal fuse links and Isolation links in accordance with Table C.
6. kVA rating to be as specified on proposal form.
7. Secondary voltage rating to be as specified on proposal form.

4.206 FUSE LINKS

Table C
Fuse Links (Three-Phase)

Transformer kVA	Designation Dual Sensing 4000358C()	Bay-O-Net Link Rating (Amp)	Isolation Link 3001861A()
75	05	8	02M
112.5	08	15	03M
150	08	15	03M
225	10	25	05M
300	10	25	05M
500	12	50	06M
	Designation Current Sensing 4000353C()		
750	14	65	05M
1000	16	100	05M
1500	17	140	05M

End of Section 4



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt a resolution awarding the bid for 20,000 feet of #1/0 600-volt triplex to Hughes Utilities, Portland, Oregon (\$20,817.30) (EUD)

MEETING DATE: August 2, 2006

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: That the City Council adopt a resolution awarding the bid for 20,000 feet of #1/0 600V triplex to Hughes Utilities, Portland, Oregon, in the amount of \$20,817.30.

BACKGROUND INFORMATION: On April 5, 2006, the City Council approved specifications and authorized advertisement for bids for 15,000 feet of this conductor. One bid was received on June 6, submitted by GE Supply Company in the amount of \$27,880.31. That bid was rejected by Council on June 21, 2006 (Res. 2006-112).

At the June 21 meeting the City Council also approved revised specifications, and authorized the advertisement for bids for 20,000 feet of #1/0 600V triplex. Bids were opened on July 12, 2006:

Hughes Utilities, Portland, OR	\$20,817.30 (alternate bid)*
Hughes Utilities, Portland, OR	\$23,015.40
All Phase Electric Supply, Stockton	\$25,256.60
Rexel Norcal Valley Electric, Stockton	\$28,338.25
Prysmian Cables, Lexington, SC	\$20,515.60**

* Hughes' alternate bid offered full-hard aluminum (vs. $\frac{3}{4}$ -hard specification), and palletized reels in enclosed van (vs. reels shipped upright via flatbed). Both variations are acceptable to the Electric Utility Department.

**Prysmian's bid did not include delivery from South Carolina

This conductor is used primarily for new residential and commercial customers, providing the electrical service from the Electric Utility Department's distribution transformers to the customers' meters.

FISCAL IMPACT: Initial outlay of \$20,817.30. Material costs are expected to be recovered by future sales of electrical power.

FUNDING: Electric Utility Department 2006-2007 Financial Plan and Budget, Line Extensions, Business Unit 161651

Ruby Paiste, Interim Finance Director

George F. Morrow, Electric Utility Director

Prepared by Joel Harris, Purchasing Officer
cc: Manager, EUD Engineering and Operations

APPROVED: _____
Blair King, City Manager

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING THE
BID FOR THE PURCHASE OF 20,000 FEET OF #1/0 600-VOLT
UNDERGROUND TRIPLEX

=====

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on July 12, 2006, at 11:00 a.m. for the purchase of 20,000 feet of #1/0 600-volt underground triplex, described in the specifications therefore approved by the City Council on June 21, 2006; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Bid Amount
Hughes Utilities, Portland, OR	\$20,817.30 (alternate bid)*
Hughes Utilities, Portland, OR	\$23,015.40
All Phase Electric Supply, Stockton	\$25,256.60
Rexel Norcal Valley Electric, Stockton	\$28,338.25
Prysmian Cables, Lexington, SC	\$20,515.60**

* Hughes' alternate bid offered full-hard aluminum (vs. ¾-hard specification), and palletized reels in enclosed van (vs. reels shipped upright via flatbed). Both variations are acceptable to the Electric Utility Department.

**Prysmian's bid did not include delivery from South Carolina

WHEREAS, staff recommends award of the bid for the purchase of the conductor be made to the low bidder, Hughes Utilities of Portland, Oregon, in the amount of \$20,817.30.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that the award of the bid for 20,000 feet of #1/0 600-volt underground triplex be and the same is hereby awarded to the low bidder, Hughes Utilities of Portland, Oregon, in the amount of \$20,817.30.

Dated: August 2, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 2, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Awarding Contract for Municipal Service Center (MSC) Additional Compressed Natural Gas (CNG) Installation Project to Performance Mechanical, Inc., of Pittsburg, CA (\$44,600) and Appropriate Additional Funds (\$10,000)

MEETING DATE: August 2, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution awarding the contract for the above project to Performance Mechanical, Inc. (PMI), of Pittsburg, CA, in the amount of \$44,602 and appropriate additional funds in accordance with the recommendation shown below.

BACKGROUND INFORMATION: This project consists of the installation of additional Compressed Natural Gas (CNG) fueling equipment within the existing fueling facility at the Municipal Service Center (MSC). The City previously constructed a CNG fueling facility at the MSC to accommodate transit vehicles and miscellaneous CNG-fueled City equipment. This project will install a second compressor at the MSC, allowing for additional fueling capacity for an expanding transit fleet, as well as backup so that the compressors can be serviced without disrupting the fueling capabilities of the City fleet. Council authorized the purchase of the second CNG compressor and auxiliary equipment (\$180,000) as a separate bid on December 7, 2005. Bidding the equipment separate from the installation was the most cost effective and efficient way to build the CNG station, reducing the cost of the equipment by avoiding mark-up of the manufacturer's price.

Funding for the installation project is through a Congestion Mitigation and Air Quality (CMAQ) grant from the San Joaquin Council of Governments with matching funds (minimum 20%) from Transportation Development Act (TDA) transit capital funds. The total project cost (equipment and installation) is estimated to be \$230,000 including contingencies. At the time the grant was submitted, the cost of the additional compressor and its installation was estimated to cost \$220,000, however, the actual cost is \$230,000 and, therefore, an appropriation of an additional \$10,000 is being requested to cover the project cost.

Plans and specifications for this project were approved on June 7, 2006. The City received only one bid for this project on July 12, 2006, but the bid from PMI was within the Engineer's estimate. In addition, PMI has proven to be a competent contractor, including serving as the general contractor on the City of Lodi/ LUSD CNG fueling station project. The total installation costs including contingencies are expected to be \$50,000.

Bidder	Location	Bid
Engineer's Estimate		Less than \$50,000
Performance Mechanical, Inc.	Pittsburg	\$44,602

APPROVED: _____
Blair King, City Manager

FISCAL IMPACT: Failure to award the contract for construction of the facility would result in the recently-purchased equipment going unused and a loss of fueling backup capability.

FUNDING AVAILABLE: Funds, including a 10% contingency, were appropriated with the approval of the Federal Transit Administration grant in the amount of \$220,000. An additional appropriation of \$10,000 is required to fund the total project and will come from TDA funds.

Project Recap:

1) Equipment and Engineering	\$180,000
2) Construction (original estimate)	\$ 40,000
Construction Adjustment (per bid, including contingency)	\$ 10,000
Revised Project Total:	\$230,000

Ruby Paiste, Interim Finance Director

Richard C. Prima, Jr.
Public Works Director

Prepared by Dennis Callahan, Fleet and Facilities Manager
Tiffani M. Fink, Transportation Manager

RCP/DJC/pmf

cc: City Attorney
Purchasing Officer
Transportation Manager

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING THE
CONTRACT FOR THE MUNICIPAL SERVICE CENTER (MSC)
ADDITIONAL COMPRESSED NATURAL GAS (CNG)
INSTALLATION PROJECT, AND FURTHER APPROPRIATING
ADDITIONAL FUNDS FOR THIS PROJECT

=====

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on July 12, 2006, at 11:00 a.m. for the Municipal Service Center (MSC) Additional Compressed Natural Gas (CNG) Installation Project, described in the specifications therefore approved by the City Council on June 7, 2006; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Bid Amount
Engineer's Estimate	Less than \$50,000
Performance Mechanical, Inc., Pittsburg	\$44,602

WHEREAS, staff recommends award of the contract for the Municipal Service Center (MSC) Additional Compressed Natural Gas (CNG) Installation Project, be made to the sole bidder, Performance Mechanical, Inc., of Pittsburg, California, in the amount of \$44,602.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that the award of the contract for Municipal Service Center (MSC) Additional Compressed Natural Gas (CNG) Installation Project be and the same is hereby awarded to the sole bidder, Performance Mechanical, Inc., of Pittsburg, California, in the amount of \$44,602; and

BE IT FURTHER RESOLVED, that an additional \$10,000 be appropriated from TDA funds for this project.

Dated: August 2, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 2, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI

COUNCIL COMMUNICATION

TM

AGENDA TITLE: Adopt Resolution Awarding Contracts for Necessary Process Chemicals for the White Slough Water Pollution Control Facility to Basic Chemical Solutions of Santa Fe Springs, CA (\$46,000) and to Polydyne, Inc., of Riceboro, GA (\$29,200)

MEETING DATE: August 2, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution awarding contracts for necessary process chemicals for the White Slough Water Pollution Control Facility to Basic Chemical Solutions of Santa Fe Springs, CA, in the amount of \$46,000 and to Polydyne, Inc., of Riceboro, GA, in the amount of \$29,200.

BACKGROUND INFORMATION: Process chemical bids were requested for sodium hydroxide and liquid cationic coagulant. The sodium hydroxide, also known as caustic soda, is needed to adjust the pH of the effluent discharged from the Treatment Facility. The liquid cationic coagulant is needed to remove solids and reduce turbidity in the treated effluent during process upsets.

The specifications for this bid were approved June 7, 2006, and bid documents were sent to eight prospective vendors. Bids were opened on June 28, 2006. One bid and one "no bid" were received for the caustic soda and two bids were received for the coagulant. A summary of bids is listed below.

Chemical	Bidder	Location	Bid
Caustic Soda	Estimate		\$53,000
	Basic Chemical Solutions	Santa Fe Springs, CA	\$46,000
	Sierra Chemical Co.	Sparks, NV	No Bid
Coagulant	Estimate		\$32,000
	Polydyne, Inc.	Riceboro, GA	\$29,200
	JenChem, Inc.	Walnut Creek, CA	\$34,800

FISCAL IMPACT: Because the annual usage for these chemicals may vary depending on the quantity and strength of the wastewater treated, the approximate annual purchase may vary. The operating budget has sufficient funds available to cover these purchases.

FUNDING AVAILABLE: The money for these purchases will be coming from the White Slough Water Pollution Control Facility Operating Budget in the current 2006/07 budget.

Project Estimate: \$85,000
 Budgeted: 2006/07 fiscal year

 Ruby Paiste, Interim Finance Director

 Richard C. Prima, Jr.
 Public Works Director

Prepared by Del Kerlin, Assistant Wastewater Treatment Superintendent
 RCP/DK/dk

cc: D. Stephen Schwabauer, City Attorney
 Joel Harris, Purchasing Agent

Del Kerlin, Assistant Wastewater Treatment Superintendent

APPROVED: _____

Blair King, City Manager

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING THE
CONTRACTS FOR NECESSARY PROCESS CHEMICALS FOR THE
WHITE SLOUGH WATER POLLUTION CONTROL FACILITY, AND
FURTHER APPROPRIATING FUNDS FOR THE PROJECT

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on June 28, 2006, at 11:00 a.m. for the Contracts for Necessary Process Chemicals for the White Slough Water Pollution Control Facility, described in the specifications therefore approved by the City Council on June 7, 2006; and

WHEREAS, said bids have been compared, checked, and tabulated and a report thereof filed with the City Manager as follows:

Chemical	Bidder	Location	Bid
Caustic Soda	Estimate		\$53,000
	Basic Chemical Solutions	Santa Fe Springs, CA	\$46,000
	Sierra Chemical Co.	Sparks, NV	No Bid
Coagulant	Estimate		\$32,000
	Polydyne, Inc.	Riceboro, GA	\$29,200
	JenChem, Inc.	Walnut Creek, CA	\$34,800

WHEREAS, staff recommends award of the Contracts for Necessary Process Chemicals for the White Slough Water Pollution Control Facility, be made to the low bidders, Basic Chemical Solutions of Santa Fe Springs, California, in the amount of \$46,000, and to Polydyne, Inc., of Riceboro, GA in the amount of \$29,200.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that the award of the Contracts for Necessary Process Chemicals for the White Slough Water Pollution Control Facility be and the same is hereby awarded to the low bidders, Basic Chemical Solutions of Santa Fe Springs, California, in the amount of \$46,000, and to Polydyne, Inc., of Riceboro, GA in the amount of \$29,200.

Dated: August 2, 2006

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 2, 2006, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving Work by West Yost & Associates for Ongoing Regulatory Activities at the White Slough Water Pollution Control Facility and Appropriating Funds (\$119,100)

MEETING DATE: August 2, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution approving work by West Yost & Associates for ongoing regulatory activities at the White Slough Water Pollution Control Facility and appropriating funds as shown below.

BACKGROUND INFORMATION: Within the next few months, the Regional Water Quality Control Board will issue a new discharge permit for the White Slough Water Pollution Control Facility. West Yost & Associates has provided similar regulatory assistance on the last permit issued and has developed the new permit application. With the new permit expected to be issued for public review and comment, additional ongoing regulatory assistance is needed. The proposed scope of work includes the following:

- NPDES permit review and comment
- Permit compliance support
- General regulatory assistance
- Project management

Attached is a draft copy of the proposed scope of services detailing the work to be done under this task. The work would be done under a task order approved by the City Manager per the City's master agreement with West Yost.

FISCAL IMPACT: The actual cost of this work will depend on what terms and conditions are included in the draft and final permit. However, it is very likely that the permit will be more stringent than our past permit. The permit will likely have conditions that will be costly to implement. Thus, the City needs to be prepared to thoroughly analyze the draft permit and obtain terms that are acceptable.

FUNDING AVAILABLE: Wastewater Fund (2004 Wastewater COP)

Ruby Paiste, Interim Finance Director

Richard C. Prima, Jr.
Public Works Director

Prepared by Rebecca Areida, Management Analyst
Attachment
RCP/RA/pmf

APPROVED: _____
Blair King, City Manager

PRELIMINARY DRAFT

July 13, 2006

Mr. Richard C. Prima Jr.

SUBJECT: Proposal for Engineering Services—NPDES Permit Adoption Support and ongoing Regulatory Assistance

Dear Mr. Prima,

We appreciate the opportunity to present this letter proposal to you for engineering services related to ongoing assistance to the City of Lodi (City) with respect to compliance with the NPDES permit and Waste Discharge Requirements for the White Slough Water Pollution Control Facility (WPCF). West Yost Associates (WYA) has been providing these services to the City over the last six years. The purpose of this letter proposal is to present the scope of work and budget needed for providing continued assistance over the 2006 through 2007 fiscal year.

As you are aware, it is expected that the Regional Water Quality Control Board (Regional Board) will issue a new NPDES permit within the next few months. Therefore, the proposed scope of work and budget presented herein is intended to cover the efforts needed to assist the City through the adoption process. The scope of work for efforts following permit adoption can only be estimated at this time. However, the scope of work and associated budget presented below are based on a review of the requirements included in the recently issued City of Tracy NPDES permit. Based on discussions with Regional Board staff, it can be expected that the City of Lodi will be required to meet similar requirements.

WYA will continue to rely on support from our legal team at Somach, Simmons, and Dunn to complete work efforts described in this letter.

SCOPE OF WORK

The proposed scope of services includes the following tasks:

- NPDES Permit Review and Comment
- Permit Compliance Support
- General Regulatory Assistance
- Project Management

PRELIMINARY DRAFT

These tasks are described below. In addition, to ensure continued achievement of consistently high quality work products, and in accordance with the WYA Quality Assurance/Quality Control (QA/QC) policy, a WYA staff member at the Principal Engineer level or higher will provide review of key scope items and significant work products. The scope and budget for this effort has been delineated, as necessary, under the specific tasks listed below.

Task 1. NPDES Permit Review and Comment

It is expected that the Regional Board will first issue an Administrative Draft Permit to the City for review. During this review phase, the City will have an opportunity to raise issues with the Regional Board staff regarding concerns with the permit. It is during this phase that the Regional Board staff will be most willing to make changes to the permit before it is presented to the Board. Therefore, it will be important for the City to provide a thorough review at this stage of the renewal process.

Following issuance of the Administrative Draft Permit, WYA, with support from our legal team and in parallel with City staff, will review the Administrative Draft Permit to help identify issues that the City may wish to address with the Regional Board staff. It is expected that WYA, our legal team, and the City will then hold an internal meeting to discuss these issues. Following this meeting, WYA, in conjunction with support from our legal team, would assist in the preparation of a comment document for submittal to the Regional Board. Following submittal of this document, WYA would provide assistance to the City in negotiations with Regional Board staff. Based on these negotiations, WYA and our legal support team will provide recommendations for further action.

The Regional Board is expected to issue a Tentative Permit following the Administrative Draft Permit review and comment period. The City will have 30 days to issue a formal response document regarding the Tentative Permit. Note, however, that the Regional Board staff is typically less willing to make changes to the permit during this phase. Nevertheless, if the City has concerns with the Tentative Permit that should be addressed by the Regional Board during the adoption process or concerns that should be brought to the attention of the State Water Resources Control Board through an appeal process, these issues must first be raised during the Tentative Permit comment period. Therefore, it will also be important for the City to provide a thorough review of the permit at this stage of the renewal process.

Following issuance of the Tentative Permit, WYA, with support from our legal team and in parallel with City staff, will review the Tentative Permit to determine how the Regional Board addressed the City's comments on the Administrative Draft Permit and identify any outstanding issues. At the conclusion of this review process WYA (with input from our legal team) may recommend that City contest the permit at the Regional Board level and, potentially ultimately to the State Water Resources Control Board. Such an action would be initiated through the City's submission of a formal comment document to the Regional Board. However, even if the City elects to not contest the permit, it may still be desirable for the City to issue a formal comment document such that the City's concerns would be included in the City's legal record in the event that some legal action is warranted in the future.

Therefore, it is proposed that WYA (with input from our legal team) will develop a brief formal comment document to the Regional Board to address any identified issues. It is also expected that WYA, our legal counsel, and the City will hold one internal meeting to discuss these issues.

PRELIMINARY DRAFT

Based on WYA's experience with other NPDES permits issued by the Central Valley Regional Board, it is not expected that the formal comment document will raise any new issues that were not addressed during the Administrative Draft comment period. Therefore, it is not expected that a meeting with the Regional Board staff will be necessary at this time.

Anticipated Meetings and Deliverables

- ❖ *Internal Meeting to discuss the Administrative Draft Permit*
- ❖ *Comment letter to the Regional Board staff addressing the identified concerns with the Administrative Draft permit.*
- ❖ *Meeting with the Regional Board to discuss the City's comment letter regarding the Administrative Draft Permit*
- ❖ *Internal Meeting to discuss the Tentative Permit*
- ❖ *Brief formal comment document to the Regional Board addressing the identified concerns with the Tentative Permit (no more than 10 pages)*

Task 2. Permit Compliance Support

Based on the recently issued City of Tracy Tentative Permit, it is expected that the City will be required to submit several work plans in the first six months following adoption of the renewed permit. These work plans would provide an outline and schedule for completion of specific studies required under the permit. The timeline for completion of the studies will likely be at least one year or longer.

This scope of work presented in this proposal is only for development of the work plans, but not the work needed to complete the studies themselves. It is expected that following work plan development, the City and WYA will work together to identify the tasks and budget needed to the complete the studies. Note that some of the required studies may currently be underway.

Based on our experience with studies required by the Regional Board in other permits and our knowledge of the Regional Board staff concerns regarding the WPCF, The studies that could be required under the renewed permit may include, but are not limited to, the following:

1. Method of Compliance Study (Nitrate, Nitrite, Ammonia, and possibly other priority pollutants)
2. Pollution Prevention Plan for Trace Toxics and Other Constituents of Concern
3. WPCF BPTC Salinity Evaluation
4. Receiving Water Electrical Conductivity (EC) Study
5. Receiving Water Temperature Study
6. Receiving Water Dissolved Oxygen Impacts Study
7. Groundwater BPTC Assessment
8. Groundwater Background Water Quality Assessment

PRELIMINARY DRAFT

9. Title 22 Engineering Report
10. Land Management Plan
11. Biosolids Lagoon Supernatant Alternative Disposal Study
12. Irrigation Area Flood Protection Study

A work plan could potentially be required for each of these studies. The actual number of studies that will be required (and work plans that will need to be developed) is uncertain. Therefore, for purposes of this proposal, it is assumed that **six (6)** work plans will be developed.

Furthermore, it is expected that at least **two (2)** meetings

If additional work plans or compliance assistance is needed beyond this effort, WYA will strive to complete such efforts within the combined budgets presented for Task 2 and Task 3. However, depending on the level of effort required, a scope and budget amendment may be necessary.

Anticipated Meetings and Deliverables

- ❖ *Six (6) Work plans*
- ❖ *Two (2) internal meetings to discuss work plan submittals*

Task 3. General Regulatory Assistance

In addition the tasks discussed above, it is anticipated that the City will continue to require ongoing assistance related to general regulatory issues. It is difficult to predict the level of effort needed for this task. Over the last year assistance water provided for completion of the following items:

1. Development of a Land Application Spreadsheet Management Tool;
2. Working with the City and the Army Corps of Engineers to identify the benefits of constructing a habitat wetland on the WPCF property that would rely, at least in part, on treated effluent from the WPCF as a supply source;
3. Assistance with determining appropriate requirements for discharge of stormwater from the WPCF property and adjacent properties;
4. Development of a water balance analysis for the existing WPCF storage ponds;
5. Review of permits and other regulatory guidance documents issued by the Regional Board and SWRCB that would be applicable to the Lodi WPCF discharge;
6. Providing assistance to the City, as needed, for developing responses to Regional Board requests;
7. Helping the City to develop monitoring programs to better characterize potential future regulatory concerns;
8. Completing analyses of data collected by the City to identify potential future regulatory concerns; and
9. Attendance and preparation for meetings to discuss the results of such activities outlined above.

PRELIMINARY DRAFT

As requested by the City, WYA will continue to provide such general regulatory assistance. The work efforts and deliverables under this task cannot reasonably be determined at this time. However, all work will be performed on a time and material basis. For budgeting purposes, it has been assumed that the work efforts under this task will be on a similar order of magnitude as the efforts expended over the 2005-2006 fiscal year. Monthly invoices will detail these efforts. However, depending on the level of effort required, a scope and budget amendment may be necessary.

Task 4. Project Management

WYA will conduct project management-related activities including general project coordination. Brief descriptions of services performed will be included on monthly invoices.

Deliverables:

Monthly invoices with descriptions of services performed

PROJECT BUDGET

The total fee for the scope of work described above is estimated to be \$119,100. A breakdown of the project costs is shown in Table 1. WYA will perform all work on an hourly basis at standard company charge rates, and will not exceed the estimated cost without written authorization. If additional budget is required to complete work identified herein as work to be performed by WYA, OSP will be notified before exceeding the authorized budget amount.

Table 1. Fee Estimate for Proposed Scope of Services ^(a)

Task	Total Budget, dollars	WYA Budget, dollars	Legal Support Budget, dollars	WYA Staff Hours			
				Project Manager	Principal / Engineering Manager	Staff Engineer	Admin
NPDES Permit Review and Comment	35,100	29,600	5,500	140	40	0	20
Permit Compliance Support	33,100	33,100	0	80	30	120	24
General Regulatory Assistance	43,100	40,900	2,200	120	40	120	24
Project Management	7,800	7,800	0	40	10	0	0
Totals	119,100	111,400	7,700	380	120	240	68

^(a) Hours and dollars shown are subject to redistribution among project task to meet the overall project needs.

PRELIMINARY DRAFT

SCHEDULE

The proposed scope of services will occur over the 2006-2007 fiscal year, and will coincide with the City's NPDES permit renewal process. Project work will begin with a notice to proceed from City. WYA will provide additional services related to the studies needed under the renewed permit, subject to mutually agreeable adjustments to the scope, authorized budget, and schedule.

WYA appreciates the opportunity to provide professional services to the City. Please contact me if you have any questions or need additional information.

Sincerely,

WEST YOST & ASSOCIATES

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING WORK
BY WEST YOST & ASSOCIATES FOR ONGOING REGULATORY
ACTIVITIES AT THE WHITE SLOUGH WATER POLLUTION CONTROL
FACILITY, AND FURTHER APPROPRIATING FUNDS FOR THE
PROJECT

=====

WHEREAS, the Regional Water Quality Control Board will soon issue a new discharge permit for the White Slough Water Pollution Control Facility; and

WHEREAS, West Yost & Associates has provided similar regulatory assistance on the last permit issued and has developed the new permit application; and

WHEREAS, with the new permit expected to be issued for public review and comment, additional ongoing regulatory assistance is needed. The proposed scope of work includes the following:

- NPDES permit review and comment
- Permit compliance support
- General regulatory assistance
- Project management

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council does hereby authorize the City Manager to execute an additional professional services task order for White Slough Water Pollution Control Facility Discharge Permit Compliance Activities; and

BE IT FURTHER RESOLVED, that funds in the amount of \$119,100 be appropriated from the Wastewater Fund (2004 Wastewater COP) for this project.

Dated: August 2, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 2, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving Final Map and Improvement Agreement for Interlake Square, Tract No. 3532 (North of Park Street between School Street and Sacramento Street)

MEETING DATE: August 2, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution approving the final map and improvement agreement for Interlake Square, Tract No. 3532.

BACKGROUND INFORMATION: The subdivision is located along the west side of the old Interlake Industries site, north of Park Street between School Street and Sacramento Street, as shown on Exhibit A. The development consists of eleven medium-density single-family residential lots and a remaining industrial parcel fronting Sacramento Street. The development plan and allocations were approved by the Planning Commission on October 27, 2004, and the tentative map was approved on April 13, 2005.

Per the provisions of LMC Title 16, the developers of the subdivision, Cluff LLC and CMT Construction, Inc., have furnished the City with the improvement plans, necessary agreements, guarantees, insurance certificates, and a portion of the fees (\$32,105.25) for the proposed subdivision. The Development Impact Mitigation Fees for the water, storm drainage, street improvements, police, fire, parks and recreation, and general City facilities fee categories (\$75,719.36 based on the current fee schedule) will be paid in conjunction with Council acceptance of the public improvements. Payment has been guaranteed as part of the faithful performance improvement security for the project, in conformance with LMC §15.64.040. The Wastewater Capacity Impact Fee will be paid at the time of building permit issuance for each lot. All actual impact fees to be paid will be based on the impact fee schedule in effect at the time of payment.

The project has also been annexed into the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 to cover the cost of maintenance and replacement of street trees being installed as part of the project, as well as park maintenance associated with the development.

FISCAL IMPACT: There will be a slight increase in long-term maintenance costs for public infrastructure and City services. The maintenance and replacement costs for the street trees, as well as expected increases in park maintenance costs, will be funded through the Lodi Consolidated Landscape Maintenance Assessment District 2003-1.

FUNDING AVAILABLE: Not applicable.

Richard C. Prima, Jr.
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer
RCP/SAW/pmf
Attachment

cc: Senior Civil Engineer Fujitani
CMT Construction, Inc.

Senior Civil Engineer Welch
Conti & Associates

Cluff LLC
Community Development Director

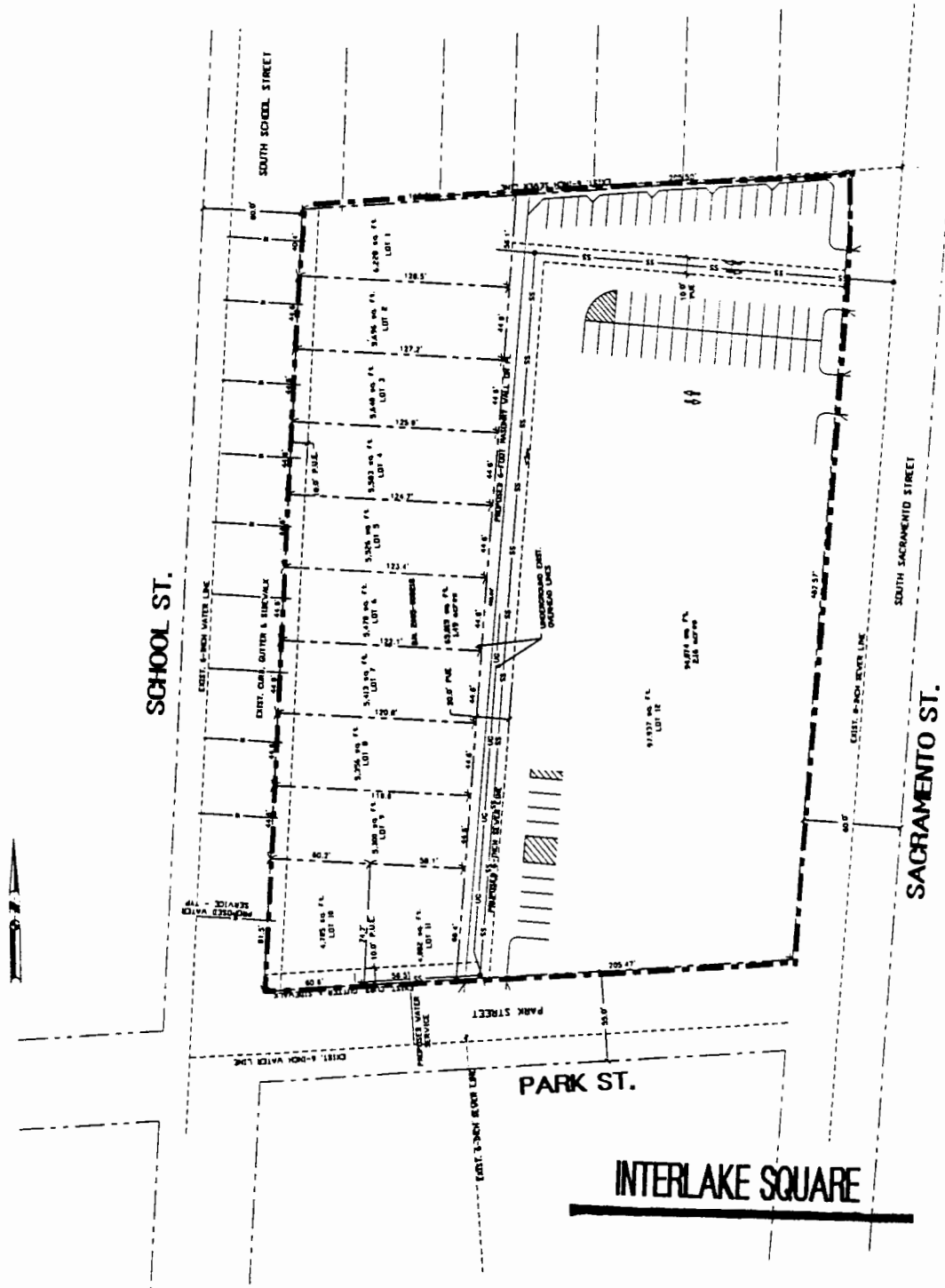
APPROVED: _____
Blair King, City Manager



CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A



RESOLUTION NO. 2006-____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE FINAL
MAP AND IMPROVEMENT AGREEMENT FOR INTERLAKE SQUARE,
TRACT NO. 3532, AND FURTHER AUTHORIZING THE CITY MANAGER
TO EXECUTE THE IMPROVEMENT AGREEMENT AND FINAL MAP ON
BEHALF OF THE CITY OF LODI

=====

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby
approve the Final Map and Improvement Agreement for Interlake Square, Tract No. 3532,
between the City of Lodi and Cluff LLC and CMT Construction, Inc.; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs
the City Manager and City Clerk to execute the Improvement Agreement and Final Map
on behalf of the City of Lodi.

Dated: August 2, 2006

=====

I hereby certify that Resolution No. 2006-____ was passed and adopted by the
City Council of the City of Lodi in a regular meeting held August 2, 2006, by the following
vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Fares for Cultural Homestay International (a Non-Profit Organization) Use of Transit Services for Calendar Years 2006 and 2007

MEETING DATE: August 2, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council approve fares for Cultural Homestay International's use of Transit Services for calendar years 2006 and 2007.

BACKGROUND INFORMATION: At the October 20, 2004 City Council meeting, transit fares for both Dial-A-Ride and Fixed Route were adopted effective January 1, 2005. In addition to the fare increase, the City Council allowed for contract pricing to non-profit organizations who administer transit grant programs at a rate not to be reduced by more than 50% and subject to approval by City Council on a case-by-case basis.

Staff has been approached by the sponsors of the local Japanese exchange student program to inquire if reduced rates may be available. The students are brought to Lodi through Cultural Homestay International and reside with families in Lodi for the duration of their stay. The program coordinators contacted staff due to the limited funding available to transport the students to different locations within Lodi. The students and advisors will be visiting a variety of locations throughout Lodi including the Salvation Army, the recycling plant, Lodi Lake and Tokay High School.

Staff is recommending that the City Council authorize the students to utilize the transit services during their entire stay at the 2004 rates: \$.50 for Fixed Route and \$2.00 for Dial-A-Ride. The students are scheduled to take nine outings requiring transit services.

FISCAL IMPACT: The reduced fares will reduce the amount of revenue the transit system receives for this service. The amount can be accommodated with the Transit fund. The estimated lost revenue from the reduced fares is \$200 each year.

FUNDING AVAILABLE: None required.

Richard C. Prima, Jr.
Public Works Director

Prepared by Tiffani M. Fink, Transportation Manager

RCP/TMF/pmf

cc: Finance Director
Transportation Manager

APPROVED:

Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt resolution authorizing City Manager to execute agreement with the World of Wonder Science Museum for an option to lease and a subsequent lease of retail space in the Lodi Station Parking Structure.

MEETING DATE: August 2, 2006

PREPARED BY: City Manager

RECOMMENDED ACTION: Adopt resolution authorizing City Manager to execute agreement with the World of Wonder Science Museum for an option to lease and a subsequent lease of retail space in the Lodi Station Parking Structure.

BACKGROUND INFORMATION: During the May 17, 2006 City Council meeting, members of the World of Wonder Science Museum (WOW) Board of Directors presented conceptual plans to establish a science museum in the 12,000 square feet of available retail space in the Lodi Station Parking Garage. Council directed the City Manager to enter into negotiations with WOW and the attached Option to Lease and corresponding Lease have been drafted for approval.

The Option allows the WOW to raise the finances necessary to construct tenant improvements for the operation of a science museum and science store in the retail space owned by the City of Lodi. The Option sets forth a requirement that the WOW will raise a minimum of \$165,000 in cash for the purpose of constructing the tenant improvements called for in the lease in a period of no more than 180 days. It is anticipated the WOW Science Museum will secure commitments for in-kind assistance and additional cash to complete the tenant improvements. If the Museum completes the conditions of the option agreement, they may execute a lease agreement. No rent will be required to be paid until the tenant improvements described in the lease are completed, or, 12 months from the lease commencement date, whichever is earlier.

A conceptual timeline for the project would reflect the following time increments:

- Option to Exercise lease and raise the required \$165,000 6 months (maximum)
- Term of Lease 6 years
- Option to Extend lease (2 successive 5-year terms) 10 years

The Tenant Improvements shall include an 800 square foot Museum Store, a public lobby and exhibit hall, classroom, public restrooms, office space, all mechanical, electrical, telecommunications, and utilities required to support the space and function. All Tenant Improvements shall comply with regulations and requirements of the City of Lodi Building Division and the Fire Marshall.

APPROVED: _____
Blair King, City Manager

The corresponding lease specifies that the Science Museum and Science Store shall be open to the public a minimum of 33 hours per week, at least 12 of which shall fall on a weekend, and of those hours, no less than six shall be on Sunday.

FISCAL IMPACT: The WOW shall pay rent to the City in the amount of \$1,000 per month, which is the equivalent of \$1.25 per square foot per month for the estimated 800 square foot museum store. The WOW's monthly rental payment shall increase by 2.5% per year, except if the rate of inflation exceeds 6.5% in which case, the payment shall increase by 50% the rate of inflation. Revenues would benefit the City's Transit Fund and, pursuant to FTA regulations, cannot be incorporated as general City revenues.

Blair King
City Manager

Attachments

cc: Sally Snyder, President, The Worlds of Wonder Science Museum

OPTION TO LEASE

WORLD OF WONDERS SCIENCE MUSEUM

=====

THIS OPTION TO LEASE AGREEMENT, entered into this 2nd day of August, 2006, by and between the CITY OF LODI, a municipal corporation ("City"), and the World of Wonders Science Museum, a California Nonprofit Corporation (Tax ID No. 20-3075595) ("The WOW") shall be as follows:

WHEREAS, the purpose of this Option is to allow The WOW to raise the finances necessary to construct Tenant Improvements for the operation of a Science Museum and Museum Store in the Lodi Parking Structure space owned by the City; and

WHEREAS, the proposed relationship and arrangement described herein are in the best interests of the City, The WOW and the people of Lodi by combining the efforts of both local government and the private sector; and

WHEREAS, The WOW's construction of the Tenant Improvements for and operation of this facility in a City building will provide long term tangible benefits to the citizens of Lodi by assuring them of a place to obtain education opportunities.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. GRANT OF OPTION. The City hereby grants to The WOW the exclusive right to lease, upon the terms set forth in the Lease Agreement attached hereto as Exhibit A ("Lease"), the approximately 12,000 square feet (more or less) located in the Lodi Parking Structure, more particularly described in the diagram attached hereto as Exhibit B and incorporated by reference as if fully set forth herein ("Premises"). This Option shall commence as of the date of the full execution of this Option and expire 180-days following its execution.

2. CONDITION OF OPTION.

It shall be an express condition precedent to the right of The WOW to exercise this Option that The WOW shall have raised the sum of \$165,000 in cash for the purpose of constructing the Tenant Improvements called for in the Lease. The determination of The WOW's performance of this obligation shall be made in the sole and absolute discretion of the City Manager.

3. EXERCISE OF OPTION. This option may be only exercised in writing. The Notice of Exercise shall set forth the commencement of the Lease.

4. TERM.

This Option will expire 180-days following the execution thereof by the parties.

5. NOTICES.

All notices required under this Option or the Lease shall be given in writing, by first-class mail with postage prepaid to the following addresses:

City shall be: City Manager
P.O. Box 3006
Lodi, CA 95241-1910

The WOW shall be: World of Wonders Science Museum
P.O. Box 1671
Woodbridge, CA 95258

6. FEDERAL TRANSPORTATION ADMINISTRATION REVIEW.

The parties acknowledge that the Lease is subject to review by the Federal Transportation Administration (FTA) and must satisfy FTA requirements and be acceptable to FTA in accordance with the FTA Master Agreement regarding the Lodi Parking Structure.

7. CALIFORNIA LAW.

This Option shall be construed in accordance with the laws of the State of California.

8. SEVERABILITY.

If any term of this Option is found to be void or invalid, such invalidity shall not affect the remaining terms of this Option, which shall continue in full force and effect.

9. ENTIRE AGREEMENT.

This Option constitutes the entire understanding and agreement between the parties hereto. There shall be no modifications without the written consent of both parties. The titles contained in this Option are provided for convenience only and are not controlling in any interpretation hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first hereinabove mentioned.

CITY OF LODI,
a municipal corporation

World of Wonders Science Museum,
a California Nonprofit Corporation

BLAIR KING, City Manager

By Sally Snyder
SALLY SNYDE
President

ATTEST:

Jennifer Perrin, Interim City Clerk

APPROVED AS TO FORM:

JANICE D. MAGDICH
Deputy City Attorney

EXHIBIT A

(Lease Agreement – World of Wonders Science Museum)

LEASE AGREEMENT

WORLD OF WONDERS SCIENCE MUSEUM

=====

THIS LEASE AGREEMENT, entered into this ____ day of _____, 2006, by and between the CITY OF LODI, a municipal corporation ("City"), and the World of Wonders Science Museum, a California Nonprofit Corporation (Tax ID No. 20-3075595) ("The WOW" or "Lessee") shall be as follows:

WHEREAS, the purpose of this Agreement is to allow the construction of Tenant Improvements for and the operation of a Science Museum and Museum Store by The WOW in the Lodi Parking Structure space owned by the City; and

WHEREAS, the proposed relationship and arrangement described herein are in the best interests of the City, The WOW and the people of Lodi by combining the efforts of both local government and the private sector; and

WHEREAS, The WOW'S construction of the Tenant Improvements for and operation of this facility in a City building will provide long term tangible benefits to the citizens of Lodi by assuring them of a place to obtain education opportunities.

NOW, THEREFORE, BE IT AGREED AS FOLLOWS:

1. DEMISED PREMISES.

The premises demised hereunder shall constitute approximately 12,000 square feet (more or less) located in the Lodi Parking Structure, more particularly described in the diagram attached to the Option to Lease as Exhibit B and incorporated by reference as if fully set forth herein ("Premises").

2. USES ALLOWED.

The WOW agrees that it will use the Science Museum constructed under the provisions of this Lease for the citizens of Lodi, to provide place of scientific learning for Lodi Citizens of all ages.

3. HOURS OF OPERATION.

The Science Museum and the Museum Store shall be open to the public a minimum of thirty three (33) hours per week, at least 12 hours of which shall fall on a weekend, and of those hours, no less than six (6) hours shall be on Sunday. As used in this paragraph, "Open to The Public" means open to any person seeking admission to the Science Museum or the Museum Store off the street. However, this paragraph shall not prevent The WOW from charging a fee for admission to the Science Museum.

4. MUSEUM STORE.

The Museum Store may be open hours in addition to the minimum hours set forth in Paragraph 3 above, but the store must be open at least the same hours as those of the Science Museum. The Museum Store shall be operated in a professional manner with competent retail management and the goods carried for sale in the Museum Store shall compliment the educational objectives of the Science Museum.

5. TERM.

The term of this Lease shall be for a period of six (6) years commencing _____ and ending _____, pursuant to the provisions of Government Code Section 37380.

The WOW shall have the option to extend this lease on the same terms and conditions set forth in this agreement for two successive five year terms, provided the WOW

- A) has complied with all obligations under this agreement and
- B) provides two months written notice of its intent to exercise the option.

6. RENT.

Upon completion of the Tenant Improvements and issuance of the Certificate of Occupancy, or 12 months from the Lease commencement date, whichever is earlier, The WOW shall pay rent in the amount of \$1,000.00 monthly (which is the equivalent of \$1.25 per square foot rent per month for the estimated 800 square foot Museum Store.) to City.

The WOW's monthly rental payment shall increase by 2.5% per year, except if the rate of inflation exceeds 6.5% in which case the payment shall increase by 50% the rate of inflation.

7. TENANT IMPROVEMENTS.

a. Tenant Improvements. Tenant Improvements for The Science Museum shall be provided for and funded by The WOW. Construction of Tenant Improvements shall commence upon issuance of a building permit by CITY. Tenant Improvements shall be constructed in similar form and content to The Plan attached to the Option to Lease as Exhibit "C" and incorporated by reference herein as though fully set forth, and shall include, but not be limited to, the following components:

- i. An 800 square foot Museum Store.
- ii. Public lobby and Exhibit hall.
- iii. Classroom.
- iv. Public restrooms.
- v. Office space.
- vi. All mechanical, electrical, telecommunications, and utilities required to support the above spaces and functions.
- vii. Compliance with regulations and requirements of the City of Lodi Building Division and the Fire Marshall.

b. Security for Tenant Improvements. The WOW shall post security with City in the sum of \$165,000 in a form acceptable to the City Attorney upon the execution of this Lease. The security will be forfeited to the City in the event The WOW fails to comply with its Tenant Improvement obligations but will be returned in the event The WOW fully complies with its Tenant Improvement obligations.

c. Construction Timeline. The parties anticipate that Tenant Improvements will be completed within seven (7) months of the execution of this Lease, but in no event shall such improvements be completed later than February 28, 2008. Failure of The WOW to complete construction of Tenant Improvements as set forth above shall be deemed a material breach of this Option and the Lease.

8. OWNERSHIP OF IMPROVEMENTS UPON TERMINATION OR EXPIRATION OF LEASE.

It is agreed between the parties that upon the expiration or termination of this Lease, the parties shall in good faith attempt to renegotiate an agreement to continue similar uses to those specified in Paragraph 2 above. However, upon surrender, termination or expiration of this Lease, ownership of the Tenant Improvements shall vest in the City.

9. PARKING.

The Lease does not include dedicated parking spaces within the parking structure, but does include the availability of parking on the same terms and conditions as provided to the general public, with the following exceptions:

- (a) Required disabled persons parking spaces may be designated on the ground level; and
- (b) Specific spaces for loading or other purposes may be approved by the City recognizing the higher priority of transit dedicated parking spaces.

The City also reserves the right to remove stalls from public use and to designate stalls for specific purposes, including, but not limited transit uses.

10. USE OF FACILITIES BY CITY.

The first priority for all uses of the facility built on the Premises shall be for the operation of The WOW's own programs; however, the City may use the facility at such reasonable times when no other activities are scheduled by The WOW, and City shall pay to The WOW a fee intended to be minimal, and covering only necessary costs of operation and maintenance as determined by The WOW.

11. ABANDONMENT/CESSATION OF USE BY THE WOW.

Any cessation of use by The WOW for a continuous period of ninety (90) days or more shall allow City, within its discretion, to operate the facility. The parties hereto may mutually agree at any time that the City may assume operation of the facilities.

In the event of the City's declaration of abandonment or cessation of use, The WOW can cure such default and resume operations by demonstrating that it has on hand the projected operating cost for a twelve (12) month period. In the event of cessation or abandonment of operations under this Lease for a period of three (3) months, the City may deem the Lease null and void within its sole discretion.

12. MAINTENANCE OF FACILITIES.

The WOW shall be responsible for all Tenant Improvements constructed hereunder. City shall be responsible for the maintenance and upkeep of all improvements constructed by the City.

13. UTILITIES/MISCELLANEOUS COSTS.

The WOW shall be responsible during the term of the Lease for all utility costs, including water, sewer, refuse, gas and electricity. The WOW shall also be responsible for the interior maintenance of the Premises, and all janitorial and cleaning expenses associated with the maintenance thereof.

14. DESTRUCTION OF PREMISES.

In the event that the Premises is totally destroyed by any causes whatsoever prior to the commencement of or during the term of this Lease, this Lease shall immediately terminate and no party shall have any rights or be under further obligation, except for rent accrued prior to destruction. CITY shall refund to The WOW any unearned rent. Total destruction of the Premises shall be defined as any destruction sufficient to make the Premises no longer suitable for the conduct of business as intended by this Lease.

In the event that the Premises is partially destroyed by any cause whatsoever, CITY, with reasonable promptness, shall repair and rebuild same provided that it may be repaired and rebuilt under State and Municipal laws and regulations within ninety (90) working days, and The WOW shall pay rent during such period of repair or rebuilding in proportion to the square footage of The Premises actually being occupied and used by The WOW. In the event of partial destruction of the Premises, The WOW shall be responsible for reconstruction or replacement of the Tenant Improvements identified herein.

15. ASSIGNMENT AND SUBLETTING.

The WOW shall not assign or sublet the whole or part of the Premises.

16. ENTRY BY CITY.

CITY may enter the Premises with consent of The WOW or upon written notice to The WOW (twenty-four (24) hours shall be deemed reasonable advance notice) for the purposes of reasonable inspection, making repairs, alteration or additions, to show the Premises to prospective purchasers, or mortgagees, or any other valid and reasonable business purpose. Entry shall be made during regular business hours. In the event of any emergency such as a fire, CITY may enter the Premises without consent or prior notice. The WOW may re-key the locks to any or all exterior access doors with City's consent, which shall not be unreasonably withheld.

17. INSURANCE.

Lessee is required to carry a policy of Comprehensive General Liability insurance in compliance with all of the provisions of the "Risk Transfer Requirements For Lease or Use of City of Lodi Facilities, attached to the Option to Lease as Exhibit "D" and incorporated herein by reference as if fully set forth herein.

18. HOLD HARMLESS.

City and The WOW hereby agree to save, defend and hold harmless the other for any suit or cause of action arising exclusively from the negligence or alleged negligence of the indemnifying party, its agents, officers and employees, including reasonable attorneys' fees.

19. TERMINATION/SURRENDER.

Lessee may at any time after completion of construction of the Tenant Improvements under this Lease terminate or surrender such Lease with the written consent of City upon six (6) months' written advance notice. Otherwise, Lessee shall not vacate, abandon, terminate nor surrender the Premises at any time during the term hereof and if Lessee shall abandon or vacate the Premises, or be dispossessed by

process of law or otherwise, all personal property belonging to Lessee left upon the Premises shall be deemed abandoned at the option of City.

20. NO ENCUMBRANCE BY THE WOW OF THE PREMISES.

The WOW shall in no way encumber, mortgage or hypothecate nor pledge as security for any debt all or any portion of the Premises demised hereunder nor improvements thereon, including Tenant Improvements, except with the written consent of City.

21. MECHANIC'S LIEN.

The WOW agrees to keep the Premises free from all liens and claims of mechanics, laborers, material suppliers, and others for work done, and material furnished, and Lessee shall not create, or suffer to be created, any lien or encumbrance on said Premises.

22. NOTICES.

All notices required under this Lease shall be given in writing, by first-class mail with postage prepaid to the following addresses:

City shall be: City Manager
P.O. Box 3006
Lodi, California 95241-1910

THE WOW shall be: World of Wonders Science Museum
P.O. Box 1671
Woodbridge, CA 95258

23. APPROVAL OF CONSTRUCTION PLANS BY CITY PRIOR TO CONSTRUCTION OR REMODEL.

The WOW shall work cooperatively with City Management on the development of Tenant Improvements. Prior to the commencement of construction, reconstruction, or substantial remodeling of the Premises, The WOW will submit such plans in advance to the City for approval. The WOW will be responsible for all applicable development fees and permits.

24. ACCEPTANCE OF PREMISES.

The WOW has examined the Premises, knows the conditions thereof, and accepts possession thereof in its condition.

25. WAIVER.

Failure of City to insist upon performance of any of the terms or conditions of this Lease in any one or more instances shall in no event be construed as a waiver or a relinquishment of its right to future performance thereof, and Lessee's obligations to such future performance shall continue in full force and effect. The receipt by City of rent, with the knowledge of the breach of any agreement or condition hereof, shall not be determined to be a waiver of any such breach.

26. BANKRUPTCY, RECEIVERSHIP, AND INSOLVENCY.

If Lessee should make a general assignment for the benefit of creditors, or file a voluntary petition in bankruptcy, or be adjudicated bankrupt or insolvent, or permit a receiver to be appointed to take possession of a substantial portion of its assets or of the premises, and such bankruptcy, insolvency, or receivership proceeding shall not be dismissed within ninety (90) days, then City may, without notice or demand, terminate this Lease and forthwith reenter and repossess the Premises, and remove all persons There from, and under no circumstances shall this Lease be assignable or transferable by operation of law.

27. FEDERAL TRANSPORTATION ADMINISTRATION REVIEW.

The parties acknowledge that this Lease is subject to review by the Federal Transportation Administration (FTA) and must satisfy FTA requirements and be acceptable to FTA in accordance with The FTA Master Agreement regarding the Lodi Parking Structure.

28. CALIFORNIA LAW.

This Lease shall be construed in accordance with the laws of the State of California.

29. SEVERABILITY.

If any term of this Lease is found to be void or invalid, such invalidity shall not affect the remaining terms of this Lease, which shall continue in full force and effect.

30. ENTIRE AGREEMENT.

This Lease constitutes the entire understanding and agreement between the parties hereto. There shall be no modifications without the written consent of both parties. The titles contained in this Lease are provided for convenience only and are not controlling in any interpretation hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first hereinabove mentioned.

CITY OF LODI,
a municipal corporation

World of Wonders Science Museum,
a California Nonprofit Corporation

BLAIR KING, City Manager

By _____
SALLY SNYDE
President

ATTEST:

Jennifer Perrin, Interim City Clerk

APPROVED AS TO FORM:

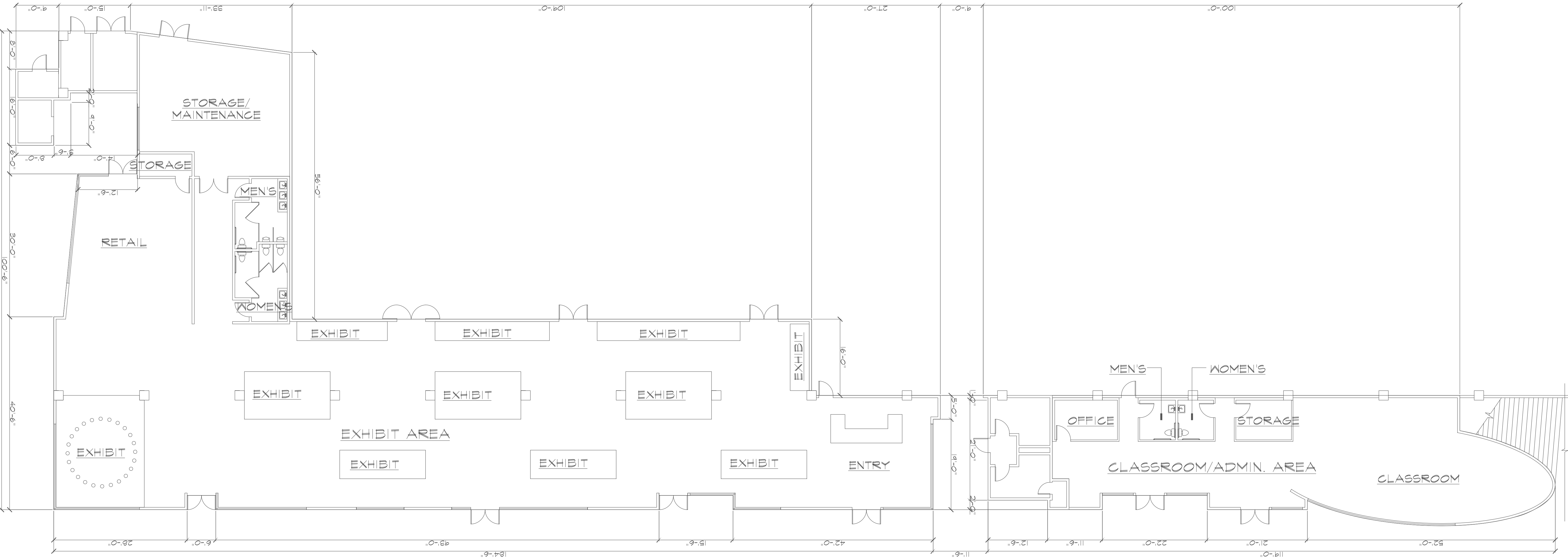
JANICE D. MAGDICH
Deputy City Attorney

EXHIBIT B

(Diagram of Premises Subject to Lease Agreement)

EXHIBIT C

(Plan re Tenant Improvements)



FLOOR PLAN



LEGEND

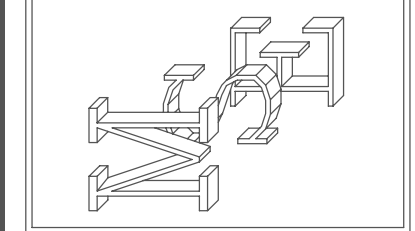
EXISTING WALL

NEW WALL

EXHIBIT

REVISIONS	BY

MIKE SMITH
ENGINEERING, INC.
4 NORTH MAIN STREET
LODI, CALIFORNIA 95240
PHONE (209) 334-2332

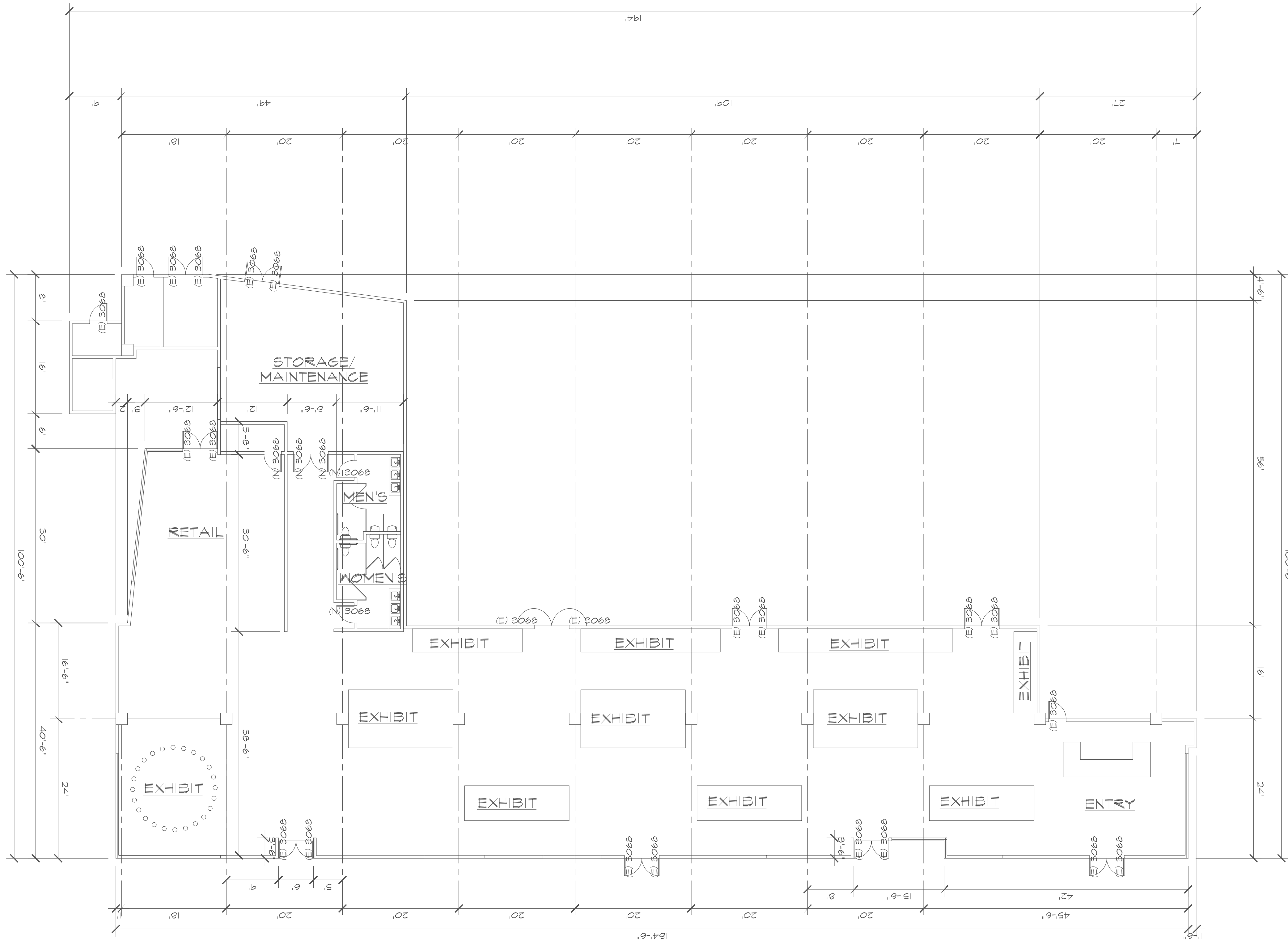


TITLE:
FLOOR PLAN

PROJECT:
PROPOSED TENANT IMPROVEMENTS FOR:
WORLD OF WONDERS
SCIENCE MUSEUM
PROJECT LOCATION:
---- SACRAMENTO STREET
LODI, CA

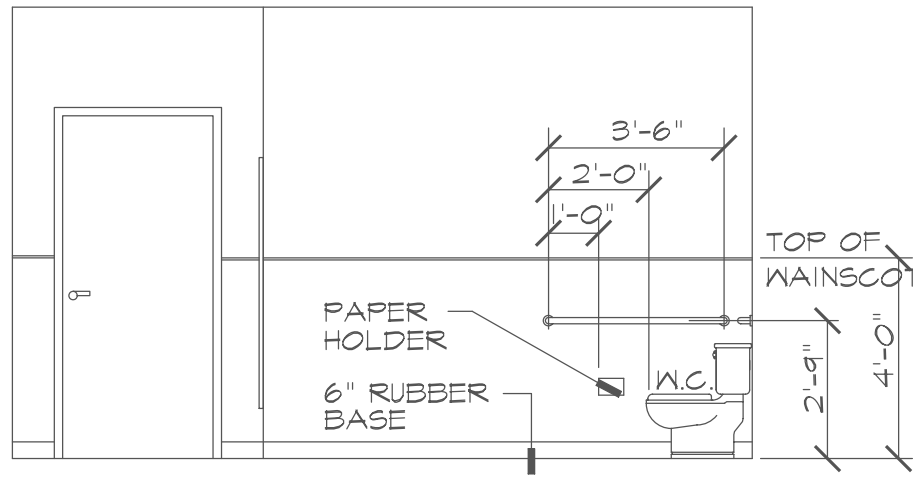


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06014
SHEET

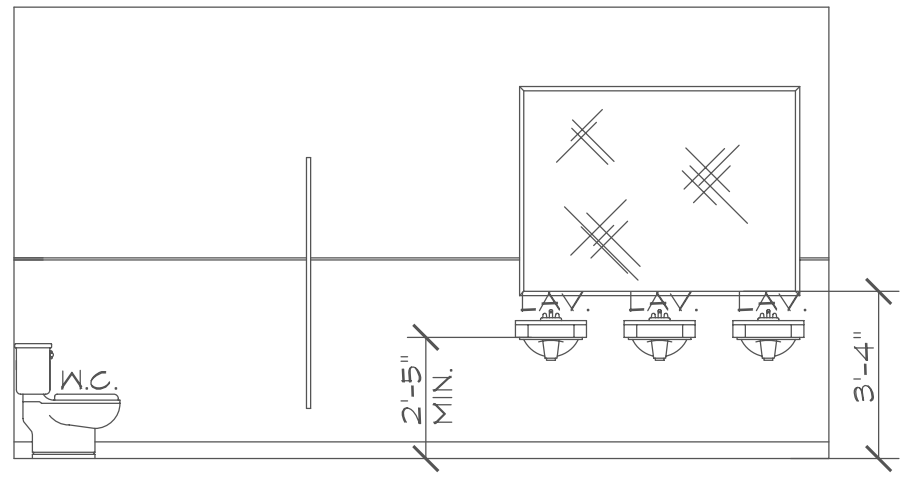


FLOOR PLAN BUILDING # 1

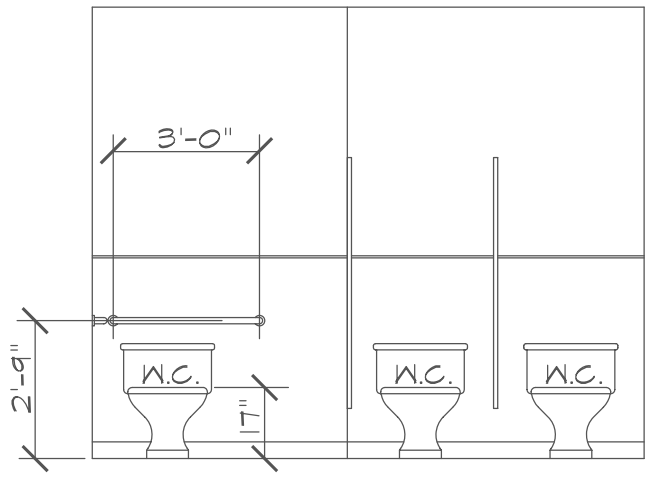
NORTH
3/32" = 1'-0"



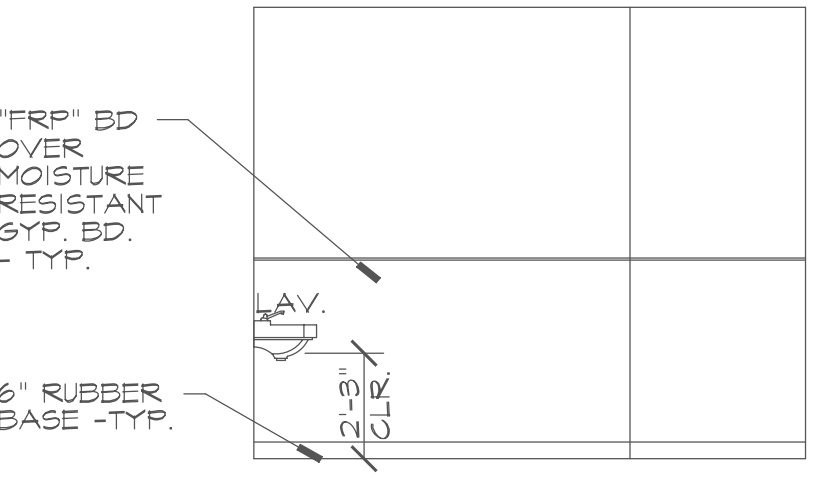
NORTH



SOUTH



EAST



WEST

INTERIOR ELEVATIONS
- WOMEN'S RESTROOM (MEN'S SIMILAR)

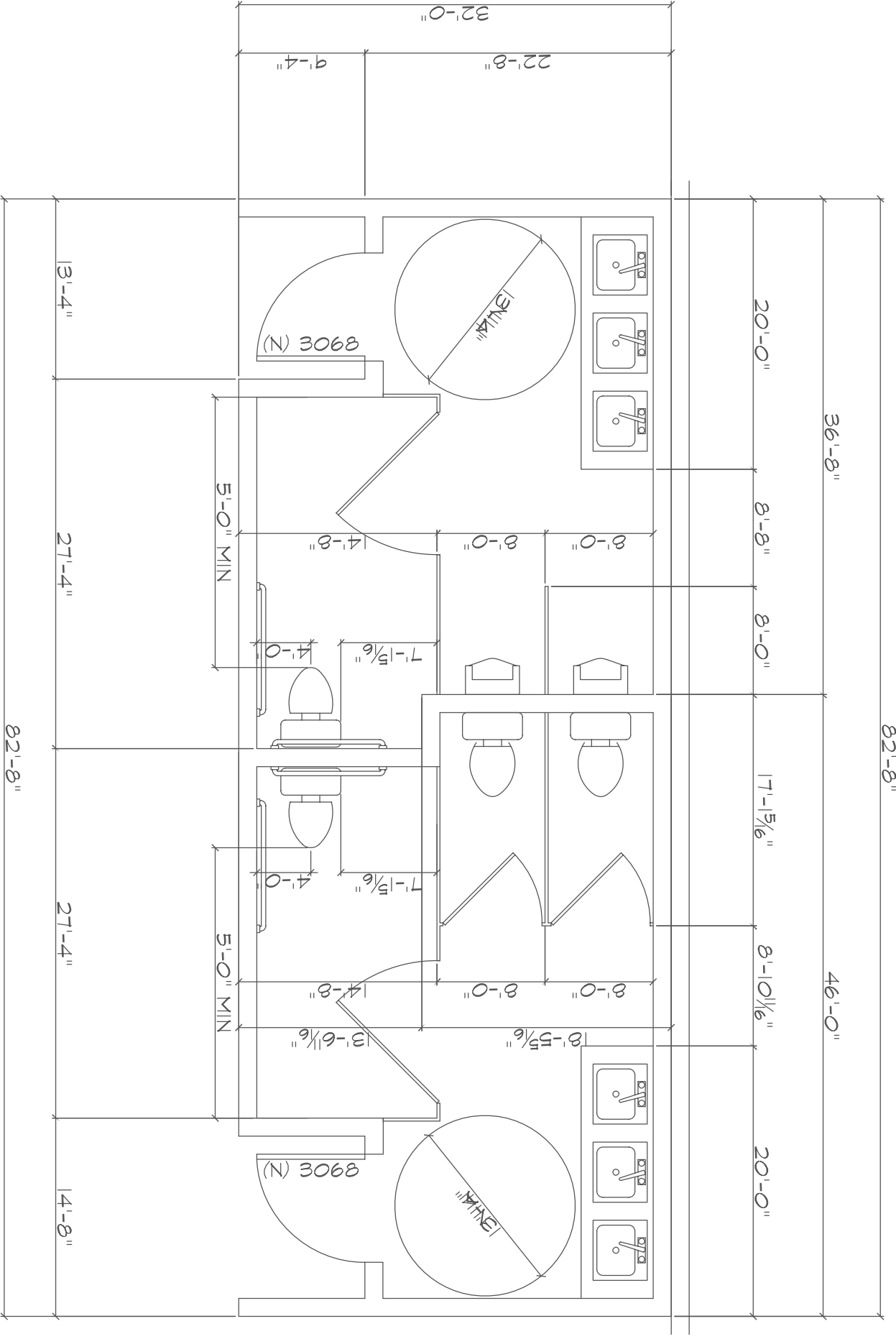
1/4" = 1'-0"

LEGEND

EXISTING WALL

NEW WALL

EXHIBIT

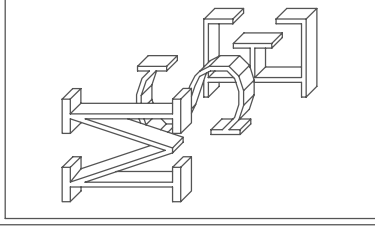


BLDG #1 RESTROOM

1/4" = 1'-0"

REVISIONS	BY

MIKE SMITH
ENGINEERING, INC.
4 NORTH MAIN STREET
LODI, CALIFORNIA 95240
PHONE (209) 334-2332



TITLE:
FLOOR PLAN BLDG. #1
ENLARGED FLOOR PLAN
INTERIOR ELEVATIONS

PROJECT:
PROPOSED TENANT IMPROVEMENTS FOR:
WORLD OF WONDERS
SCIENCE MUSEUM
PROJECT LOCATION:
---- SACRAMENTO STREET
LODI, CA



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DATE
4/6/06
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AS NOTED
JOB NO.
06014
SHEET

EXHIBIT D

(Insurance Requirements)

EXHIBIT D

CITY OF LODI RISK TRANSFER REQUIREMENTS FOR LEASE OR USE OF CITY FACILITIES

1. Any individual party or group (hereinafter "The WOW") leasing, renting or otherwise using City of Lodi facilities, is required to carry a policy of Comprehensive General Liability insurance.
2. A duplicate or certificate of insurance shall be delivered to the City 30 DAYS prior to the use of City facilities.

NOTE: The WOW agrees and stipulates that any insurance coverage provided to the City of Lodi shall provide for a claims period following termination of coverage which is as lease consistent with the claims period or statutes of limitations found in the California Tort Claims Act (California Govt. Code § 810, et seq.).

"Claims made" coverage requiring the insured's to give notice of any potential liability during a time period shorter than that found in the Tort Claims Act shall be unacceptable.

3. Each insurance certificate shall contain satisfactory evidence that each carrier is required to give the City of Lodi immediate notice of the cancellation or reduction in coverage of any policy during the effective period of the use of the City's facilities.
4. Each insurance certificate shall state on its face or as an endorsement, the location or and a description of the function that it is insuring.
5. If the City has not approved the insurance certificate and appropriate application or permit prior to the commencement of any portion of the function, the City's facilities will not be allowed to be utilized, and any contract or agreement entered into will become null and void.
6. Provided the lease agreement or contract does not prohibit a subtenant, all provisions of these requirements shall apply to and be construed as applying to any subtenant of the The WOW.
7. All requirements herein provided shall appear either in the body of the insurance policies or as endorsements and shall specifically bind the insurance carrier.

8. In each and every instance, the City of Lodi must be named as an additional insured on the face of the insurance certificate or as an endorsement attached to the insurance certificate. (The City of Lodi, its Elected and Appointed Boards, Commissions, Officers, Agents and Employees, must be named the additional insured, not Hutchins Street Square, Parks and Recreation, or another individual or department).
9. The address of the City of Lodi must be shown along with number 8 above, (i.e. Additional Insured, City of Lodi, its Elected and Appointed Boards, Commissions, Officers, Agents and Employees, 221 W. Pine Street, Lodi, Ca. 95240) This must be the street address NOT the post office box.
10. In addition to the Additional Names Insured Endorsement on The WOW's policy of insurance, said insurance policy shall be endorsed to include the following language or reasonable facsimile:
"Such insurance as is afforded by the endorsement for the Additional Insured's shall apply as primary insurance. Any other insurance maintained by the City of Lodi or its officers and employees shall be excess only and not contributing with the coinsurance afforded by this endorsement."
11. The combined single limits for bodily injury and property damage shall not be less than \$1,000,000 each occurrence. If alcohol is to be consumed or sold at the The WOW's event, then liquor liability coverage must be provided.
12. The Policy effective date and expiration date must coincide with and span the date(s) of the event being insured.
13. If the limits of coverage are not the amounts specified in Section 10 and 11 above and/or if the City is not named as an additional insured on the insurance certificate, not in conformance with the requirements of paragraph 2 above, the City will not accept the insurance certificate, and a corrected certificate must be furnished to the City prior to any use of City facilities.
14. If a corrected insurance certificate and appropriate application or permit is not received by the City of Lodi prior to the use of City facilities, the City will not allow the facilities to be used, and any agreement or contract entered into will become null and void.

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING THE CITY
MANAGER TO EXECUTE AGREEMENT WITH THE WORLD OF
WONDER SCIENCE MUSEUM FOR OPTION TO LEASE AND
SUBSEQUENT LEASE OF RETAIL SPACE IN THE LODI STATION
PARKING STRUCTURE

=====

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute Lease Option Agreement and subsequent Lease Agreement between City of Lodi and World of Wonder Science Museum (WOW), for retail space located in the Lodi Station Parking Structure; and

BE IT FURTHER RESOLVED, that the WOW shall pay a monthly rental fee to the City in the amount of \$1,000 per month, which is the equivalent of \$1.25 per square foot per month for the estimated 800 square foot museum store; and

BE IT FURTHER RESOLVED, that the WOW's monthly rental payment shall increase by 2.5% per year, except if the rate of inflation exceeds 6.5% in which case, the payment shall increase by 50% of the rate of inflation.

BE IT FURTHER RESOLVED that pursuant to FTA regulations, rent revenues will only benefit the City's Transit Fund, and not incorporated into the City of Lodi General Fund.

Dated: August 2, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 2, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____

Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

Comments by the City Council Members on non-agenda items



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Appointments to the Greater Lodi Area Youth Commission (Student Appointees)
MEETING DATE: August 2, 2006
PREPARED BY: City Clerk

RECOMMENDED ACTION: That Council, by motion action, concur with the Mayor's recommended appointments to the Greater Lodi Area Youth Commission (Student Appointees).

BACKGROUND INFORMATION: As indicated below, the City Clerk's Office was directed to post for two vacancies on the Greater Lodi Area Youth Commission. It is recommended that the City Council concur with the following appointments.

Greater Lodi Area Youth Commission (*posting of vacancies ordered on 6/21/06*)

Student Appointees :

*
*
*

Term to expire May 31, 2007
Term to expire May 31, 2007

NOTE: 16 applicants (4 new applications and 12 on file);
published in Lodi News Sentinel 6/24/06;
application deadline 7/24/06

***BLUE SHEET WILL BE PRESENTED AT THE MEETING**

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Jennifer M. Perrin
Interim City Clerk

JMP

APPROVED: _____
Blair King, City Manager



CITY OF LODI COUNCIL COMMUNICATION

TM

AGENDA TITLE: Provide direction regarding a land lease with the Community Partnership for Families of San Joaquin for construction of a Family Resource Center at Blakely Park; and, to provide 40 hours in-kind project management assistance from the Public Works Department prior to execution of the lease

MEETING DATE: August 2, 2006

PREPARED BY: City Manager

RECOMMENDED ACTION: Provide direction regarding a land lease with the Community Partnership for Families of San Joaquin for construction of a Family Resource Center at Blakely Park; and, to provide 40 hours in-kind project management assistance from the Public Works Department prior to execution of the lease.

BACKGROUND INFORMATION: The Community Partnership for Families of San Joaquin (CPF) was founded as a non-profit in 1998 to promote policies and programs that enable service providers to work together to build strong families and communities. It is governed by a board of 17 members.

The CPF currently provides services out of five sites in San Joaquin County. The East Lodi resource center is currently based in the Lodi Boys and Girls Club where it rents three offices for staff and volunteers. From this site, CPF works with the families of the children served by the Boys and Girls Club, Head Start, and the users of Blakely Park. Services coordinated at the site include public health home-visiting programs, child protective services, employment specialists, tutors, probation, mental health, gang outreach, parent advocates, school counselors, and others. Patrons of CPF have become accustomed to receiving services at the Blakely Park site.

The Partnership is looking for a permanent location for an East Lodi Family Resource Center. In 1999, plans were drawn for a center at the old Lincoln School site but the project stopped with the failure of Measure Q (school construction bond) and the Lodi Unified School District was forced to apply for emergency funds and thus, prohibited from selling the site below market value. CPF then pursued space in a vacant educational center next to Salem Methodist Church on East Elm Street but traffic concerns obviated that site. In early 2002, CPF drew up plans and submitted a proposal to Council requesting to lease the New Shanghi Restaurant for \$1 per year. The space ultimately went to Lodi Adopt-a-Child then reached an agreement with the Lodi Boys and Girls Club to rent vacant office space on a temporary basis until a permanent structure could be secured. In 2003, CPF presented plans for a facility (immediately north of the Boys and Girls Club) to the Lodi Parks and Recreation Commission but concerns were raised regarding the loss of green space at the park.

In 2003, CPF was awarded \$45,000 in CDBG funds for the design of a new facility west of the Boys and Girls Club. CPF presented the new concept plans to the Parks and Recreation Commission in 2005 and

APPROVED: _____
Blair King, City Manager

received approval. Elevations, floor plan (Exhibit A), and the footprint of this 5,140 square foot facility design (Exhibit B) are provided.

The plans were drafted in cooperation with Lodi Parks and Police staff. Of benefit to the City would be new public restrooms more visible to officers patrolling the area, potentially decreasing opportunities for vandalism and other criminal activity.

Council requested the following information during the CPF presentation on May 17, 2006:

Building as percentage of total park	1.1%
Building & parking as percentage of total park	2.2%
Building as percentage of maintained turf	1.6%
Building & parking as percentage of maintained turf	3.1%
Number of reported vandalisms to restroom, 2001-06	19
Cost of vandalism repairs, 2001-06	\$ 2,637.82

Alternative City-owned sites, other than Blakely Park for CPF could be: 2 W. Lodi Avenue (Maple Square) at .62 acres or 217 E. Lockeford Street at 59,398 square feet. Further research is needed to determine the feasibility of the alternatives.

In addition, Lodi Police Department crime reports are attached (Exhibit C).

The Partnership has modeled its development strategy for the latest project after that of the Lodi Boys and Girls Club, which secured a land lease in 1993 for \$1 per year, seeking approval first, from the Parks and Recreation Department, and then from the Lodi City Council. Council is asked to provide direction regarding a similar land lease with the Community Partnership for Families. In addition to the lease, the organization is requesting 40 hours of in-kind project management assistance from the Public Works Department to provide for project coordination and project review.

If directed to proceed, staff will work with CPF to draft a land lease and bring it forward to Council for approval. Once approved, CPF would seek funding for construction of the project. Commencement date for construction is unknown.

FISCAL IMPACT: The lost use of space that the CPF facility would occupy represents a lost opportunity cost. This could be offset by the benefit to the community of having the services that CPF offers available at a permanent site in Blakely Park. Additionally, the project offers the City the prospect of sharing in the construction cost of a new, safer restroom facility.

FUNDING AVAILABLE:

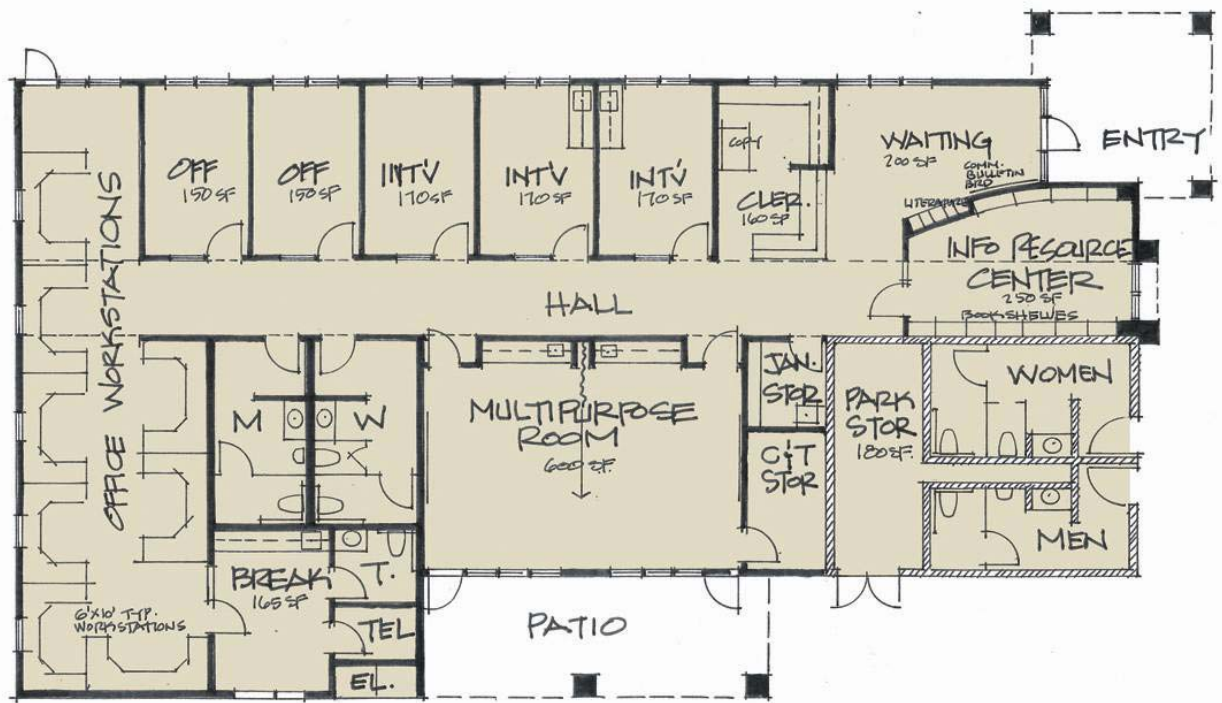
Blair King
City Manager

cc: Recreation Commission
Phyllis Grupe, Board Chair, CPF
Robina Asghar, Executive Director, CPF
Francisco Trujillo, Lodi Site Coordinator, CPF

Elevation and Floor Plan

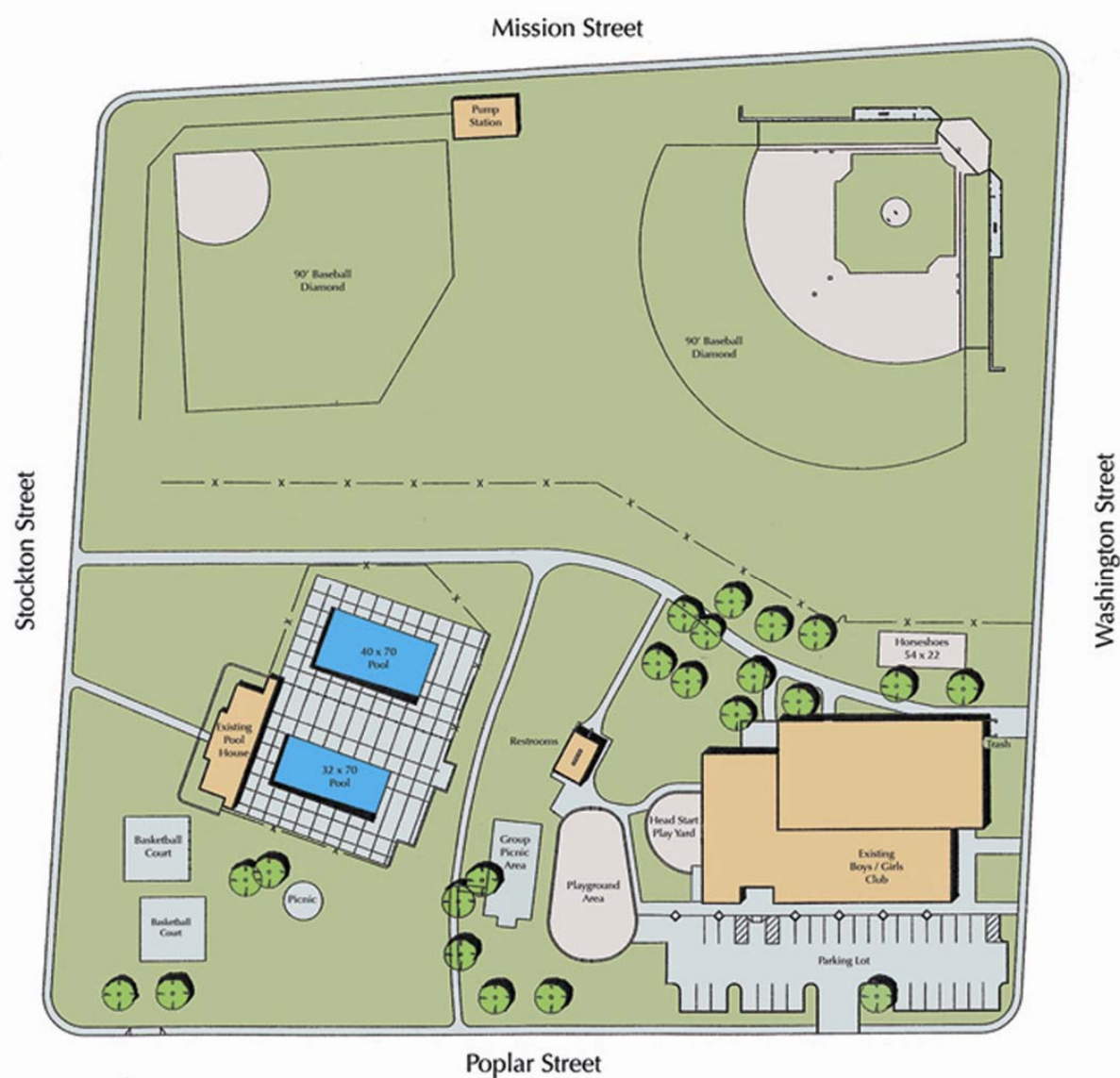


Poplar Street Elevation



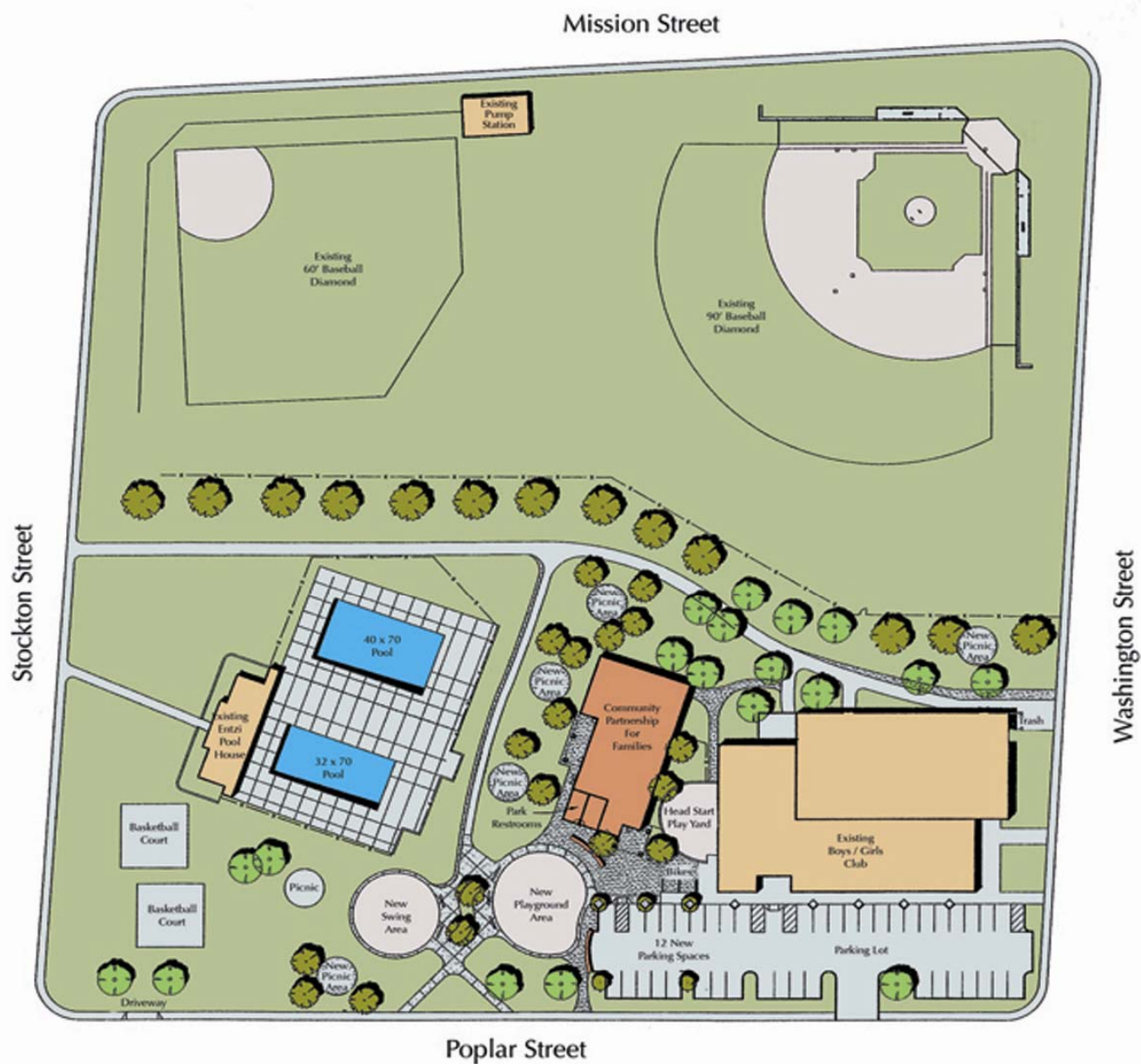
Floor Plan



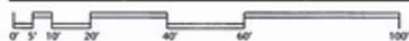


 **Blakely Park Existing Site Plan**

0' 5' 10' 20' 40' 60' 80' 100'



Blakely Park Proposed Site Plan



Lodi Police Department Crime Reports
Blakely Park

RECEIVED TIME	CLASS	ADDRESS	SYNOPSIS
6/8/2006 1:34 P.M.	897	1050 S. STOCKTON ST/MISSION, (BLAKELY PARK)	POSS 897 SUBJ ANTHONY RANDLE ON FOOT WASHINGTON TWRD
4/19/2006	906	1050 S. STOCKTON ST/MISSION, (BLAKELY PARK)	XTRA PATROL POSS FIGHT AT 1245 AT BLAKELY PARK
3/3/06	974	MISSION ST / S WASHINGTON	974 VEH IN THE AREA..DK COLORED SMALL 2 DR VEH SEEN
2/13/06	415	1201 LIEBIG ST #B / POPLAR STREET	914 RP REG SUBJS HARASSING RP...SUSPS ARE AT BLAKELY
12/16/2005	974	300 EDEN ST / S WASHINGTON ST, (OR 300 E TOKAY)	RP HEARS TIRES SCREECHING..NOTHING
10/4/2005	813	BLAKELY PARK POPLAR	
10/2/2005	242	E LOCUST ST/ N CENTRAL AVE	RP JUMPED BY UNK SUBJECTS AND HIT ON THE HEAD. RP DID NOT
9/4/2005	415P	275 POPLAR ST/S WASHINGTON (BOYS GIRLS CLUB)	LARGE GROUP AGAINST ONE..BOTTLES USED LS EB ON
6/28/2006	815	CHARLES ST / S STOCKTON ST	WHI DODGE INTREPID
4/30/2006	415P	200 WATSON ST / S STOCKTON ST	JUVS IN PHYS W/ BATS....NOW GOING DOWN STOCKTON TO VINE
3/6/2006	415P	1050 S STOCKTON ST / MISSION ST, (BLAKELY PARK)	GANG FIGHT...NEAR CORNER OF CONCORD AND WASHINGTON...BB
12/27/2005	594	275 POPLAR ST / S WASHINGTON ST (BOYS & GIRLS CLUB)	EDL GRAFFITTI
7/25/2005	974	275 POPLAR ST / S WASHINGTON ST (BOYS & GIRLS CLUB)	DEL 974 INCIDENT 11 Y/O WAS ACCOSTED BY SUBJ IN PARK RP IS
7/16/2005	893	1050 S STOCKTON ST/MISSION ST (BLAKELY PARK)	



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Provide direction regarding scheduling and type of action the Council may take at informal informational meetings referred to as “Shirtsleeve” City Council meetings.

MEETING DATE: August 2, 2006

PREPARED BY: City Manager

RECOMMENDED ACTION: Provide direction regarding scheduling and type of action the Council may take at informal informational meetings referred to as “Shirtsleeve” City Council meetings.

BACKGROUND INFORMATION: Recently, Councilmembers have asked to discuss the nature and rules governing the Tuesday morning informal, informational City Council meetings referred to as “Shirtsleeve” meetings.

Regularly scheduled informal Council meetings have been held for at least the past 30 years and possibly, much longer. An Ordinance authorizing weekly Tuesday 7:00 a.m. informal informational meetings was adopted on November 19, 1975 (LMC 2.04.020). According to the City Clerk’s office, there is evidence that regularly scheduled informal meetings had been held prior to the adoption of the 1975 Ordinance. These meetings are commonly referred to as “Shirtsleeve” meetings. This name denotes a study session that allows the Council to study in depth specific issues (taking off one’s jacket and rolling up the sleeves) in an informal setting. According to the Code, “no formal action shall be taken by the City Council at such meetings”. Recently, discussion has arisen concerning what action, if any, the Council might take at shirtsleeve meetings.

To assist the Council in defining the issues, a series of questions are presented:

1. As a practical matter, can a legislative body realistically expect to conduct a Regular Meeting on a regular basis, where deliberation does not occur and/or direction is given?
2. Under present circumstances, does the Council collectively, or individually, believe that it does, or does not provide direction?
3. Does the City Manager believe that it has not received direction?
4. Does the public or the press believe that direction has not been provided?
5. If indeed the Council might provide direction, and/or the City Manager believes that direction has been provided, and/or the public believes that direction is being provided, should these regular meetings occur at 7:00 a.m.?

The Ralph M. Brown Act (Government Code Section 54950 and following) is the State law that ensures, with some exceptions, that all meetings of the local legislative body are open to the public. The Brown Act defines a meeting as “any congregation of a majority of the members of the legislative body in the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.”

APPROVED: _____
Blair King, City Manager

According to the California Journalist's Legal Notebook, "a meeting may occur not only when there is no "action" taken, but even when the members' role is confined to hearing about a matter – when they are being briefed about it."

The Brown Act establishes three types of meetings: Regular, Special, and Emergency Meetings. The definition of a Regular Meeting is that it is on a fixed schedule at a fixed location that has formally been adopted by the agency. The Tuesday 7:00 a.m. informal informational meeting is a Regular Meeting under the Brown Act. Generally, the rules for notice are higher for a Regular Meeting than a Special Meeting and a Special Meeting than an Emergency Meeting. Also, the right of the public to address the Council is different for each meeting.

Regular Meetings are required to post an agenda 72 hours in advance of the meeting, provide a brief general description of each item of business to be transacted or discussed, and provide the public the opportunity to directly address the legislative body on any item of interest to the public. With regard to the brief description, the Attorney General's guide says "the purpose of the brief general description is to inform interested members of the public about the subject matter under consideration so that they can determine whether to monitor or participate in the meeting of the body."

The Brown Act makes the case that a Regular Meeting is a Regular Meeting is a Regular Meeting. It is not ambiguous. The Brown Act does not allow a Special Meeting to be substituted for a Regular Meeting to allow the Council to take action it could not have taken at a Regular Meeting. The Brown Act encourages public agencies to provide notice to allow individuals to attend meetings to monitor and participate on subjects important to them.

If Council concurs that as a practical matter it is not realistic to expect that the Council would conduct a Regular Meeting and not ask questions, expect answers, nor deliberate, then the Council is asked to consider whether or not Tuesday morning is the best time for a Shirtsleeve meeting. As an alternative, the Council could conduct Shirtsleeve meetings (limited to one or two agenda items) on the second and fourth Wednesdays of the month, from 5:30 p.m. to 7 p.m., prior to Planning Commission meetings.

Staff has contacted Comcast regarding broadcast of these meetings Wednesday night. Comcast has indicated due to staff limitations, they are unable to broadcast these meetings.

Staff is not recommending that the Council have "full" meetings every Wednesday. The City is not staffed to prepare agendas for a "full" meeting every week and staff is concerned with Shirtsleeve Sessions evolving into more extensive meetings (more than two agenda items). However, the second and the fourth Wednesdays of the month are attractive as alternative "Shirtsleeve dates" as they have a "built-in" adjournment deadline with Planning Commission meetings scheduled at 7:00.

In conclusion, it has been the consistent position of City staff that Council study sessions are important and worthwhile. However, the Council should reconcile the practical matter of whether or not the Council may want to deliberate on matters presented at a regularly scheduled study session and provide direction to the City Manager. Then, the Council should consider the time it might want to hold such regularly scheduled informational meetings in order to maximize public participation. If the City Council wishes to change the current structure of Shirtsleeve sessions, it will need to amend the Municipal Code.

FISCAL IMPACT: Not applicable

Blair King
City Manager



CITY OF LODI

COUNCIL COMMUNICATION

TM

AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$322,793.33).

MEETING DATE: August 2, 2006 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$316,180.92, and Various other cases being held by Outside Counsel in the amount of \$6,612.41.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; and Kronick, Moskovitz, Tiedemann & Girard for services incurred relative to the Environmental Abatement Program litigation, and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

183453.732

Matter No.	Invoice No.	Date	Description	Total Amount
8002	95866	5/30/2006	People v M&P Investments	52,768.77
				(2,047.00)
8003	95868	5/30/2006	Hartford Insurance Coverage Litigat	85,337.78
				(650.00)
8008	95867	5/30/2006	City of Lodi v. Envision Law Group	3,668.44
	13374	5/30/2006	Keith O'Brien/PES Environmental, In	2,264.84
	6235	05/30/06	Peter Krasnoff/West Environmental	2,440.00
				143,782.83

Folger Levin & Kahn - Invoices Distribution

183453.732

Matter No.	Invoice No.	Date	Description	Total Amount
8001	96372	06/30/06	General Advice/Envir. Issues	\$470.00
8002	96378	6/30/2006	People v M&P Investments	58,208.16
8003	96377	6/30/2006	Hartford Insurance Coverage Litigat	106,965.13
8008	96373	6/30/2006	City of Lodi v. Envision Law Group	5,742.30
	13486	6/30/2006	Keith O'Brien/PES Environmental, In	1,012.50
				172,398.09

APPROVED:

Blair King, City Manager

Kronick Moskowitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Total	Distribution	
				Amount	100351.732	183453.732
11233.001	226188	06/25/06	General advice	67.50	67.50	
11233.027	226188	06/25/06	Citizens for Open Govt.v.Col	1,516.50	1,516.50	
11233.029	226188	06/25/06	AT&T v. City of Lodi	1,259.91	1,259.91	
11233.030	226188	06/25/06	Water Supply Issues	3,768.50		3,768.50
				<u>6,612.41</u>	<u>2,843.91</u>	<u>3,768.50</u>

FISCAL IMPACT: Expenses in the amount of \$2,843,91 will be paid out of the General Fund with \$1,516.50 of that amount billed to Walmart for City's defense of the Lodi First and Citizens for Open Government litigation. The remaining expenses will be paid out of the Water Fund.

FUNDING AVAILABLE:

Water Fund	\$319,949.42
General Fund	\$ 2,843.91

Approved:

Approved:

Ruby Paiste, Interim Finance Director

Stephen Schwabauer, City Attorney



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Amending Traffic Resolution 97-148 by Approving Speed Limit Modifications as Follows:

- Reduce Century Boulevard between West City Limits and Ham Lane from 45 to 40 Miles Per Hour
- Increase Century Boulevard between Hutchins Street and Church Street from 25 to 30 Miles Per Hour
- Increase Kettleman Lane between Beckman Road and East City Limits from 40 to 45 Miles Per Hour
- Reduce Loma Drive between Elm Street and Lockeford Street from 30 to 25 Miles Per Hour

MEETING DATE: August 2, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution amending Traffic Resolution 97-148 by approving speed limit modifications as follows (Exhibit A):

- Reduce Century Boulevard between West City Limits and Ham Lane from 45 to 40 Miles Per Hour
- Increase Century Boulevard between Hutchins Street and Church Street from 25 to 30 Miles Per Hour
- Increase Kettleman Lane between Beckman Road and East City Limits from 40 to 45 Miles Per Hour
- Reduce Loma Drive between Elm Street and Lockeford Street from 30 to 25 Miles Per Hour

BACKGROUND INFORMATION: Per the California Vehicle Code (CVC), Engineering and Traffic Surveys must be updated a minimum of every five years on all "non-local" streets. "Non-local" streets are collector and arterial streets included in the Federal Aid System. Streets with surveys that have exceeded five years cannot be radar enforced by the Police Department. The Police Department relies on these surveys not only for speed enforcement purposes, but for use in the courtroom in the event of a dispute from the person cited. The posting of speed limits are also coordinated with the Police Department due to their field expertise. In accordance with the CVC, speed limits on the following eleven streets have been surveyed based on the time frame (5 years) from the last survey:

- | | |
|--|---|
| • Century Boulevard | • Lockeford Street |
| • Cluff Avenue, Lodi Avenue to Turner Road | • Loma Drive |
| • Eilers Lane | • Rutledge Drive |
| • Ham Lane | • Sacramento Street, Lodi Avenue to Turner Road |
| • Holly Drive | • Stockton Street |
| • Kettleman Lane, Highway 99 to East City Limits | |

In accordance with CVC Section 40802 (b), Engineering and Traffic Surveys are performed in the City of Lodi following the Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD) California Supplement. Important factors to consider in determining the speed limit, which is most appropriate to facilitate the orderly movement of traffic and reasonably safe, are:

Prevailing Speeds (85th Percentile Speeds) – Reasonable speed limits conform to the actual behavior of the majority of motorists, and by measuring motorists' speeds, one will be able to select a speed limit that is both reasonable and effective. Speed limits should normally be established at the nearest 5 mph increment to the 85th percentile speed. However, in matching existing conditions with the traffic safety needs of the community, engineering judgment may indicate the need for a further reduction of 5 mph.

APPROVED: _____
Blair King, City Manager

Adopt Resolution Amending Traffic Resolution 97-148 by Approving Speed Limit Modifications as Follows:

- Reduce Century Boulevard between West City Limits and Ham Lane from 45 to 40 Miles Per Hour
- Increase Century Boulevard between Hutchins Street and Church Street from 25 to 30 Miles Per Hour
- Increase Kettleman Lane between Beckman Road and East City Limits from 40 to 45 Miles Per Hour
- Reduce Loma Drive between Elm Street and Lockeford Street from 30 to 25 Miles Per Hour

August 2, 2006

Page 2

Accidents – Accident records for two recent years are considered in determining the speed zones. Accidents on segments of roadways are classified by their accident rate. Accident rates are determined by the number of accidents occurring within a segment of roadway and the traffic volume within that segment. Accident rates are shown in accidents per million vehicle miles (ACC/MVM). The average Citywide accident rate is 3.8 ACC/MVM.

Unexpected Conditions – Highway, traffic, and roadside conditions not readily apparent to the driver are also considered. When roadside development results in traffic conflicts and unusual conditions which are not readily apparent to drivers, speed limits below the 85th percentile may be justified.

In addition to the three primary factors described above, the following characteristics are also considered:

- Residential density
- Pedestrian and bicycle safety
- Roadway design speed
- Safe stopping sight distance
- Superelevation
- Shoulder conditions
- Profile condition
- Intersection spacing and offsets
- Commercial driveway characteristics
- Pedestrian traffic in the roadway without sidewalks

DISCUSSION/RECOMMENDATION: In May 2004, California adopted a new traffic manual which included changes in some of the guidelines used to establish speed limits. The major change was the relationship between the 85th percentile speed and selected speed limit. The previous guidelines indicated speed limits should normally be established at the first 5 mph increment below the 85th percentile speed. The current guidelines indicate speed limits should be established at the nearest 5 mph increment to the 85th percentile speed. While this change could potentially raise speed limits by 5 mph, the new guidelines consider residential density and bicycle and pedestrian safety as reasons to reduce speed limits. Therefore, in many cases, these changes offset each other, resulting in little effect on existing speed limits. A map showing existing and proposed speed limits is attached as Exhibit B.

While most of Lockeford Street was surveyed, the portion of Lockeford Street between Church Street and Stockton Street is due to be surveyed, but was not due to the current construction of a traffic signal at the intersection of Sacramento Street. This portion will be surveyed following the completion of the traffic signal this summer. Until then, the posted 30 mph speed limit will not be radar enforceable.

FISCAL IMPACT: None.

FUNDING AVAILABLE: Funding for the modifications to speed limit signs and pavement legends from the Street Maintenance Account at an approximate cost of \$2,070.

Ruby Paiste, Interim Finance Director

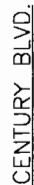
Richard C. Prima, Jr.
Public Works Director

Prepared by Rick S. Kiri, Senior Engineering Technician
RCP/RSK/pmf
Attachments

cc: City Attorney
Street Superintendent

Police Chief
Senior Traffic Engineer

City Engineer
Police Sergeant Carillo

SEE NARRATIVE FOR
BACKGROUND INFORMATION

DATE: AUGUST 2006	City Engineer RCE NO. 39995	Date		CITY OF LODI PUBLIC WORKS DEPARTMENT	CENTURY BLVD. Lower Sacramento to Cherokee	SPEED ZONE SURVEY
APPROVED BY	APPROVED BY	APPROVED BY	APPROVED BY	APPROVED BY	APPROVED BY	APPROVED BY
NO.	DATE	REVISION				
1	4/03	Multi-way stop @ Mills				
2	8/03	Signal activated @ Ham				
3	12/03	Century extended to Lower Sac				

Approved By	City Engineer RCE NO. 39895	Date
-------------	--------------------------------	------

Appr	Approved By
JC	City Engineer RCE NO. 398

No.	Date	Revision
1	4/03	Multi-way stop @ Mills
2	8/03	Signal activated @ Ham
3	12/03	Century extended to Lower

DATE:	RSK
DATE:	
DATE:	AUGUST 2006

DATE: AUG

SPEED ZONE REPORT - Century Boulevard

- **REFERENCE** – Speed zone surveys are performed in the City of Lodi following the Federal Highway Administration MUTCD and MUTCD California Supplement in accordance with Section 40802 (b) of the California Vehicle Code.
- **STUDY CRITERIA** – Important factors to consider in determining the speed limit which is most appropriate to facilitate the orderly movement of traffic and that is reasonably safe are:

Prevailing Speeds (85th Percentile Speeds) – Reasonable speed limits conform to the actual behavior of the majority of motorists, and by measuring motorists' speeds, one will be able to select a speed limit that is both reasonable and effective. Speed limits should normally be established at the nearest five mile per hour (mph) increment to the 85th percentile speed. However, in matching existing conditions with the traffic safety needs of the community, engineering judgment may indicate the need for a further reduction of five mph.

Accidents – Accident records for two recent years were considered in determining the speed zones. Accidents on segments of roadways are classified by their accident rate. Accident rates are determined by the number of accidents occurring within a segment of roadway and the traffic volume within that segment. Accident rates are shown in accidents per million vehicle miles (ACC/MVM). The average Citywide accident rate is 3.8 ACC/MVM.

Unexpected Conditions – Highway, traffic, and roadside conditions not readily apparent to the driver were considered. When roadside development results in traffic conflicts and unusual conditions which are not readily apparent to drivers, speed limits below the 85th percentile may be justified.

Other Factors – The following factors were considered: residential density, pedestrian and bicycle safety, roadway design speed, safe stopping sight distance, superelevation, shoulder conditions, profile condition, intersection spacing and offsets, commercial driveway characteristics and pedestrian traffic in the roadway without sidewalks.

- **STUDY RESULT**
Ten radar surveys were performed and the 85th percentile speeds ranged from 33 to 48 mph as shown below.

<u>Street Segment</u>	<u>Eastbound</u>	<u>Westbound</u>
Lower Sacramento Road to Mills Avenue	47 mph	48 mph
Mills Avenue to Ham Lane	44 mph	42 mph
Ham Lane to Hutchins Street	40 mph	40 mph
Hutchins Street to Church Street	34 mph	33 mph
Stockton Street to Cherokee Lane	41 mph	42 mph

Lower Sacramento Road to Mills Avenue

The 85th percentile speeds on this segment are 47 and 48 mph. The 50th percentile speeds are 42 and 44 mph. The west portion of this segment of Century Boulevard was extended to Lower Sacramento Road in December of 2005. There were no accidents occurring on this segment since that time. The portion extended to Lower Sacramento Road was constructed to one-half of the future width

when fully developed and lacks sidewalk. Based solely on prevailing speeds, the speed limit could be set at 45 mph; however, due to the roadside conditions with no sidewalks, lack of accident history, and bicycle safety, we recommend a 40 mph speed limit in this segment.

Mills Avenue to Ham Lane

The 85th percentile speeds on this segment are 42 and 44 mph. The 50th percentile speeds are 37 and 38 mph. The accident rate of 2.3 on this segment is below the Citywide average and higher than the 0.8 rate from the 2002 survey. Based on prevailing speeds, we recommend reducing the speed limit in this segment from 45 to 40 mph.

Ham Lane to Hutchins Street

The 85th percentile speed on this segment is 40 mph. The 50th percentile speed is 35 mph. The accident rate of 5.2 on this segment is above the Citywide average but lower than the 5.7 rate from the 2002 survey. Based solely on prevailing speeds, the speed limit could be posted at 40 mph; however, due to the continuing higher than average accident rate and bicycle safety, we recommend retaining the 35 mph speed limit in this segment.

Hutchins Street to Church Street

The 85th percentile speeds on this segment are 33 and 34 mph. The 50th percentile speeds are 29 and 31 mph. The accident rate of 3.8 on this segment is equal to the Citywide average and lower than the 6.2 rate from the 2002 survey. Based solely on prevailing speeds, the speed limit could be posted at 35 mph; however, based on residential density and bicycle safety, we recommend a 30 mph speed limit in this segment.

Stockton Street to Cherokee Lane

The 85th percentile speeds on this segment are 41 and 42 mph. The 50th percentile speed is 37 mph. The accident rate of 0.8 on this segment is below the Citywide average and higher than the 0.0 rate from the 2002 survey. Based on prevailing speeds and continuing low accident rate, we recommend retaining the 40 mph speed limit in this segment.

◦ **CONCLUSION**

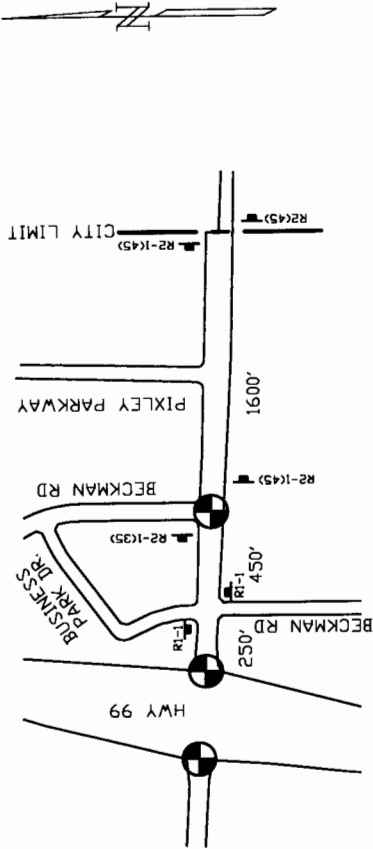
The recommended speed limits are shown below:

<u>STREET SEGMENT</u>	<u>POSTED SPEED LIMIT</u>
Lower Sacramento Road to Mills Avenue	40 mph
Mills Avenue to Ham Lane	45 to 40 mph
Ham Lane to Hutchins Street	35 mph (no change)
Hutchins Street to Church Street	25 to 30 mph
Stockton Street at Cherokee Lane	40 mph (no change)

F. Wally Sandelin
City Engineer

ENGINEERING AND TRAFFIC SURVEY

SEE NARRATIVE FOR
BACKGROUND INFORMATION



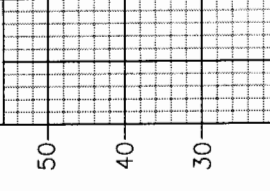
KETTLEMAN LANE

SPEED TABLE			
ROADWAY WIDTH	80' - 85'	85' - 25'	
NO. OF LANES	4	2	
MEDIAN (TYPE)	RAISED CONC	NONE	
TRAFFIC SIGNAL DATA	30ACT	30ACT	
AVERAGE DAILY TRAFFIC	16,840	10,720	
OBS. SPEED - CRITICAL .85th% EB	39	53	
WB	33	49	
EB	27 - 37(76)	43 - 53(67)	
WB	22 - 32(79)	38 - 48(66)	
EB	34	48	
WB	28	42	

EXISTING SPEED ZONE (STATE) 35 MPH 35 MPH 40 MPH 45 MPH (COUNTY)
 PROPOSED SPEED ZONE (STATE) 35 MPH 35 MPH 45 MPH 45 MPH (COUNTY)

LEGEND:

- SIGN LOCATION
- R1-1 - STOP SIGN
- R2-1() - SPEED LIMIT SIGN (MPH)
- R1-2 - YIELD SIGN
- C - ASSEMBLY C (SCHOOL 25 MPH SIGN)
- W1-X - CURVE WARNING SIGN
- W13-1() - CURVE ADVISORY SPEED
- TRAFFIC SIGNAL
- CITY LIMIT
- CRITICAL SPEED
- LOWER LIMIT OF PACE



ACCIDENT PLOT YR: 2004
 YR: 2005
 ACCIDENT RATE - ACC./MILL. VEH.-MI.

DATE: AUGUST 2005
 Approved By: [Signature]
 City Engineer: [Signature]
 PCE NO. 39895



KETTLEMAN LN
 Highway 99 to East City Limits

SPEED
ZONE
SURVEY

SPEED ZONE REPORT - Kettleman Lane, Highway 99 to East City Limits

- **REFERENCE** – Speed zone surveys are performed in the City of Lodi following the Federal Highway Administration MUTCD and MUTCD California Supplement in accordance with Section 40802 (b) of the California Vehicle Code.
- **STUDY CRITERIA** – Important factors to consider in determining the speed limit which is most appropriate to facilitate the orderly movement of traffic and that is reasonably safe are:

Prevailing Speeds (85th Percentile Speeds) – Reasonable speed limits conform to the actual behavior of the majority of motorists, and by measuring motorists' speeds, one will be able to select a speed limit that is both reasonable and effective. Speed limits should normally be established at the nearest five mile per hour (mph) increment to the 85th percentile speed. However, in matching existing conditions with the traffic safety needs of the community, engineering judgment may indicate the need for a further reduction of five mph.

Accidents – Accident records for two recent years were considered in determining the speed zones. Accidents on segments of roadways are classified by their accident rate. Accident rates are determined by the number of accidents occurring within a segment of roadway and the traffic volume within that segment. Accident rates are shown in accidents per million vehicle miles (ACC/MVM). The average Citywide accident rate is 3.8 ACC/MVM.

Unexpected Conditions – Highway, traffic, and roadside conditions not readily apparent to the driver were considered. When roadside development results in traffic conflicts and unusual conditions which are not readily apparent to drivers, speed limits below the 85th percentile may be justified.

Other Factors – The following factors were considered: residential density, pedestrian and bicycle safety, roadway design speed, safe stopping sight distance, superelevation, shoulder conditions, profile condition, intersection spacing and offsets, commercial driveway characteristics and pedestrian traffic in the roadway without sidewalks.

- **STUDY RESULTS**
Four radar surveys were performed and the 85th percentile speeds ranged from 33 to 53 mph as shown below:

<u>Street Segment</u>	<u>Eastbound</u>	<u>Westbound</u>
Highway 99 to Beckman Road (north)	39 mph	33 mph
Beckman Road (north) to East City Limits	53 mph	49 mph

SPEED ZONE REPORT - Kettleman Lane

Page 2

Highway 99 to Beckman Road (north)

The 85th percentile speeds on this segment are 33 and 39 mph and the 50th percentile speeds are 28 and 34 mph. The accident rate of 1.8 in this segment is lower than the Citywide average and below the 5.5 rate from the 2001 survey. Based on prevailing speeds and reasonable accident rate at the current speed limit, we recommend retaining the 35 mph speed limit in this segment.

Beckman Road (north) to East City Limits

The 85th percentile speeds on this segment are 49 and 53 mph. The 50th percentile speeds are 42 and 48 mph. The accident rate of 0.8 is significantly lower than the Citywide average and similar to the 0.6 rate from the 2001 survey. Based solely on the 85th percentile speeds, the speed limit on this segment could be set at 50 mph; however, the speed limit west of Beckman Road is 35 mph and the county speed limit east of the city is 45 mph. This would result in a relatively short 50 mph speed limit section in between two lower speed limits. Based on these factors, we recommend a 45 mph speed limit in this segment.

◦ CONCLUSION

The recommended speed limits are shown below:

STREET SEGMENT

Highway 99 to Beckman Road
Beckman Road to East City Limits

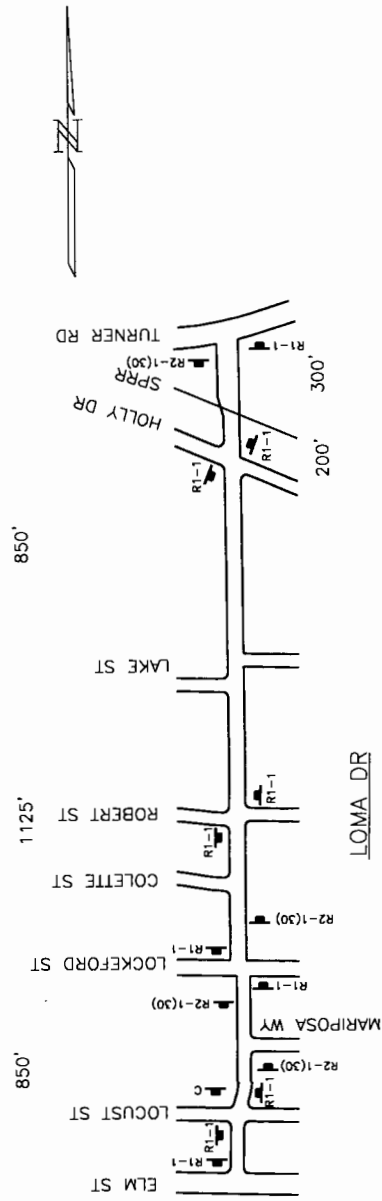
POSTED SPEED LIMIT

35 mph (no change)
40 to 45 mph

F. Wally Sandelin
City Engineer

ENGINEERING AND TRAFFIC SURVEY

SEE NARRATIVE FOR
BACKGROUND INFORMATION

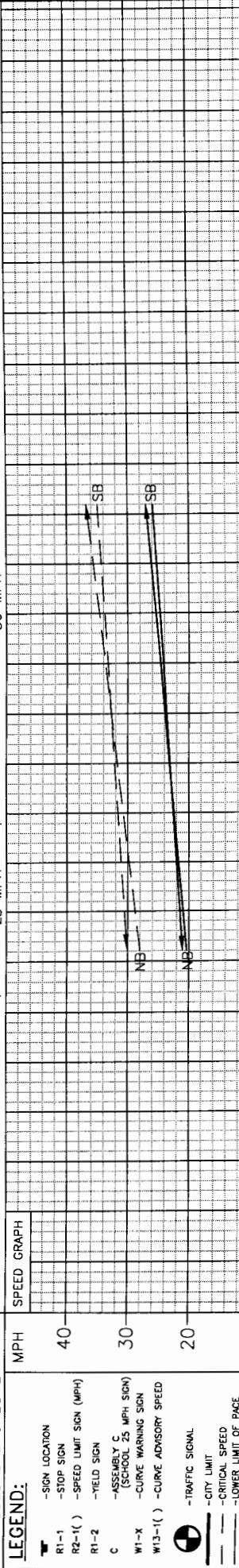


1/2 MILE

SPEED TABLE

ROADWAY WIDTH	36'	45'	46'
NO. OF LANES	2	NONE	NONE
MEDIAN (TYPE)	NONE	NONE	NONE
TRAFFIC SIGNAL DATA			
AVERAGE DAILY TRAFFIC	775	1,000	37
OBS. SPEED--CRITICAL, 85th% NB	28	35	37
SB	30	27-37(73)	26-36(85)
-PACE(%)	20-30(89)	27	32
SB	21-31(75)	25	31
-MEDIAN, 50th% NB	27		
SB	25		
EXISTING SPEED ZONE	25 MPH	30 MPH	30 MPH

PROPOSED SPEED ZONE



ACCIDENT PLOT	YR: 2004	YR: 2005
ACCIDENT RATE--ACC./MILL. VEH.-MI.	1.1	32.9
	0	3.0

DATE: AUGUST 2006	Revised	Appr	Approved By
DR: RSK			
CH: PUF			

City Engineer
RCE NO. 38895



CITY OF LODI
PUBLIC WORKS DEPARTMENT

LOMA DR

SPEED
ZONE
SURVEY

SPEED ZONE REPORT - Loma Drive

- **REFERENCE** - Speed zone surveys are performed in the City of Lodi following the Federal Highway Administration MUTCD and MUTCD California Supplement in accordance with Section 40802 (b) of the California Vehicle Code.
- **STUDY CRITERIA** - Important factors to consider in determining the speed limit which is most appropriate to facilitate the orderly movement of traffic and that is reasonably safe are:

Prevailing Speeds (85th Percentile Speeds) - Reasonable speed limits conform to the actual behavior of the majority of motorists, and by measuring motorists' speeds, one will be able to select a speed limit that is both reasonable and effective. Speed limits should normally be established at the nearest five mile per hour (mph) increment to the 85th percentile speed. However, in matching existing conditions with the traffic safety needs of the community, engineering judgment may indicate the need for a further reduction of five mph.

Accidents - Accident records for two recent years were considered in determining the speed zones. Accidents on segments of roadways are classified by their accident rate. Accident rates are determined by the number of accidents occurring within a segment of roadway and the traffic volume within that segment. Accident rates are shown in accidents per million vehicle miles (ACC/MVM). The average Citywide accident rate is 3.8 ACC/MVM.

Unexpected Conditions - Highway, traffic, and roadside conditions not readily apparent to the driver were considered. When roadside development results in traffic conflicts and unusual conditions which are not readily apparent to drivers, speed limits below the 85th percentile may be justified.

Other Factors - The following factors were considered: residential density, pedestrian & bicycle safety, roadway design speed, safe stopping sight distance, superelevation, shoulder conditions, profile condition, intersection spacing and offsets, commercial driveway characteristics and pedestrian traffic in the roadway without sidewalks.

- **STUDY RESULTS**
Four radar surveys were performed and the 85th percentile speeds ranged from 28 to 37 mph as shown below:

<u>Street Segment</u>	<u>Northbound</u>	<u>Southbound</u>
Elm Street to Lockeford Street	28 mph	30 mph
Lockeford Street to Turner Road	37 mph	35 mph

SPEED ZONE REPORT - Loma Drive

Page 2

Elm Street to Lockeford Street

The 85th percentile speeds on this segment are 28 and 30 mph. The 50th percentile speeds are 25 and 27 mph. The accident rate of 32.9 is significantly higher than the citywide average and the 0.0 rate from the 2001 survey. Based solely on the 85th percentile speeds, the speed limit could be set at 30 mph; however, due to the high accident rate and residential density, we recommend reducing the speed limit from 30 to 25 mph in this segment.

Lockeford Street to Turner Road

The 85th percentile speeds on this segment are 35 and 37 mph. The 50th percentile speeds are 31 and 32 mph. The accident rate of 3.0 is below the Citywide average. There were no accidents during the previous survey performed in 2001. Based solely on the 85th percentile speeds the speed limit could be set at 35 mph; however, due to the increased accident rate and residential density, we recommend retaining the 30 mph speed limit in this segment.

◦ CONCLUSION

The recommended speed limits are shown below:

STREET SEGMENT

Elm Street to Lockeford Street
Lockeford Street to Turner Road

POSTED SPEED LIMIT

30 mph to 25 mph
30 mph (no change)

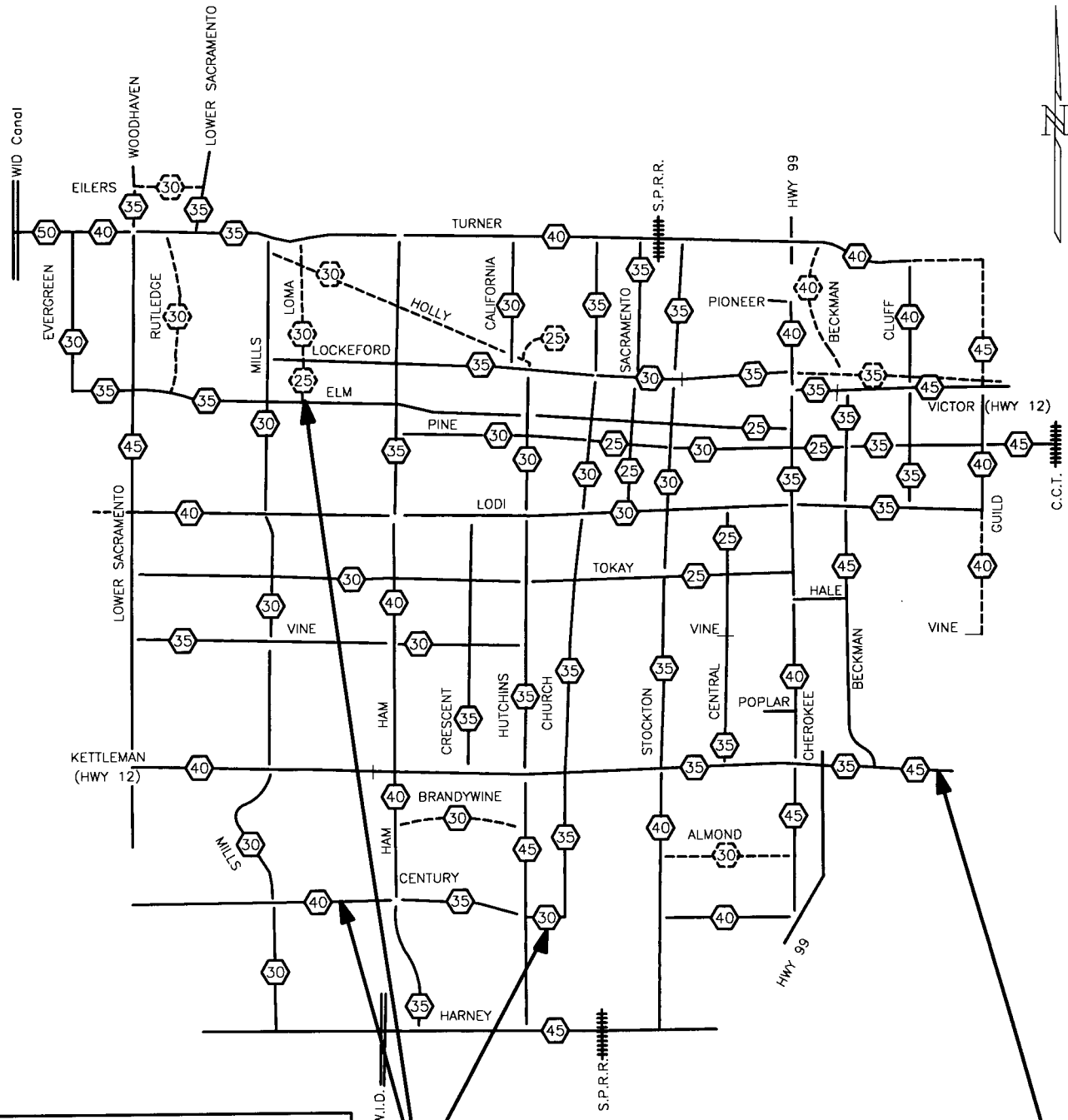
F. Wally Sandelin
City Engineer



CITY OF LODI

PUBLIC WORKS DEPARTMENT

POSTED SPEED LIMITS



LEGEND

- STREET WITH SPEED ZONE (NON-LOCAL STREET)
- "LOCAL" STREET WITH SPEED ZONE (VC 40802)

PRIMA FACIE LIMITS APPLY TO STREETS
NOT SHOWN - ALL "LOCAL" STREETS

Proposed Speed
Limit Modifications

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING SPEED
LIMIT MODIFICATIONS ON CENTURY BOULEVARD, KETTLEMAN
LANE, AND LOMA DRIVE, AND THEREBY AMENDING
TRAFFIC RESOLUTION NO. 97-148

=====

WHEREAS, pursuant to §40802(b) of the California Vehicle Code, Engineering and Traffic Surveys must be updated a minimum of every five years on all “non-local” streets. “Non-local” streets are collector and arterial streets included in the Federal Aid System, and speed limits on streets where surveys are older than five years cannot be enforced using radar; and

WHEREAS, based on the results of the Speed Survey recently performed, staff recommends the speed limit modifications as follows:

Street Segment

Century Boulevard between West City Limits and Ham Lane	45 to 40 mph
Century Boulevard between Hutchins Street and Church Street	25 to 30 mph
Kettleman Lane between Beckman Road and East City Limits	40 to 45 mph
Loma Drive between Elm Street and Lockeford Street	30 to 25 mph

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lodi does hereby approve the speed limit modifications on portions of Century Boulevard, Kettleman Lane, and Loma Drive as shown above; and

BE IT FURTHER RESOLVED, that the City of Lodi Traffic Resolution No. 97-148, Section 7 “Speed Limits,” is hereby amended by designating speed limit modifications as shown above.

Dated: August 2, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 2, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt resolution authorizing the City Manager to allocate Public Benefit Program funds and/or to execute contracts with professional service organizations for technical assistance for implementing designated Public Benefit-funded programs as identified below for FY07 (EUD):

- a) Lodi Solar Schoolhouse Project (\$25,000);
- b) Lodi LivingWise Program (\$20,000);
- c) Lodi Appliance Rebate Program (\$30,000);
- d) Lodi Energy Efficient Home Improvement Rebate Program (\$70,000);
- e) Lodi Commercial Rebate Program (\$25,000); and
- f) Industrial Customer High Efficiency Rebate Program (\$140,000)

MEETING DATE: August 2, 2006

PREPARED BY: Electric Utility Director

RECOMMENDED ACTION: Adopt a resolution authorizing the City Manager to allocate Public Benefits Program funds and/or to execute contracts for professional service organizations for technical assistance for implementing the following Public Benefit-funded programs for FY07:

Lodi Solar Schoolhouse Project - \$25,000: Allocate funds to continue this energy education project for private and public school students and educators for FY07. The project funds the annual Lodi Solar Schoolhouse Olympics, teacher mini-grants for solar-related projects, and professional services provided by the Rachus Institute (this organization provides assistance to Electric Utility staff regarding renewable energy resources, such as solar and wind technology). Also by way of this Council action, a professional services contract with the Rachus Institute will be extended for the 2006-2007 fiscal year.

Lodi LivingWise Program - \$20,000: Allocate funds to extend this energy conservation program for FY07. This program provides students and teachers at Lodi area schools with a useful tool that demonstrates energy and water conservation. For the 2006-2007 school year, EUD is once again proposing to provide up to 442 energy and water conservation kits to 6th grade students throughout Lodi. Each kit contains a compact fluorescent lamp, an Electro luminescent (energy efficient) Night Light, a low-flow showerhead, faucet aerators, a water leak test for toilets, teflon tape, tape measure, air temperature monitor, an energy efficiency CD-ROM game, tips on energy/water conservation, and specific ways to weatherize/insulate the home. There are kit pre-installation and post-installation course discussions that are provided to the instructors, to ensure that the students are fully engaged in the project. To "kick-off" the project, an Electric Utility staff member visits each classroom to reinforce the significance of the project and discuss the importance of energy/water conservation.

APPROVED: _____
Blair King, City Manager

Adopt six resolutions authorizing the City Manager to allocate Public Benefit Programs and/or to execute contracts with professional service organizations for technical assistance for implementing designated Public Benefit-funded programs as identified below for FY07 (EUD):

- a) Lodi Solar Schoolhouse Project (\$25,000);
- b) Lodi LivingWise Program (\$20,000);
- c) Lodi Appliance Rebate Program (\$30,000);
- d) Lodi Energy Efficient Home Improvement Rebate Program (\$70,000);
- e) Lodi Commercial Rebate Program (\$25,000); and
- f) Industrial Customer High Efficiency Rebate Program (\$140,000)

August 2, 2006

Page 2 of 4

Lodi Appliance Rebate Program - \$30,000: Allocate funds to extend this energy conservation program for FY07. This program provides specific rebates for energy efficient refrigerators, energy efficient dishwashers, and energy/water efficient clothes washers. Under the program, eligible customers would receive the following rebates:

- > EnergyStar® refrigerator \$50 rebate
- > EnergyStar® dishwasher \$25 rebate
- > EnergyStar® clothes washer \$75 rebate

Customers must purchase the aforementioned home appliance(s) from one of the six participating Lodi retailers, including: Anderson's Maytag, Ben's Appliance, Kundert & Bauer, Les' Appliance, Lowe's of Lodi, and Reo's Appliance.

EnergyStar® appliances consume, on average, twenty percent to thirty-five percent less electricity annually than a standard home appliance (refrigerator, dishwasher and clothes washer), which makes the purchase and installation of a high efficiency home appliance an extremely attractive, and cost effective, energy conservation measure.

Lodi Energy Efficient Home Improvement Rebate Program - \$70,000: Allocate funds to extend this energy conservation program for FY07. This program provides specific rebates for air duct replacement, air duct repair, attic insulation, radiant barriers, whole house fans, attic fans, ceiling fans, and windows/shade screens/window tinting for residential customers.

For the 2006-2007 fiscal year, the EUD is proposing the following conservation measures, and rebate amounts:

- > air duct replacement \$500
- > air duct repair \$150
- > attic/wall insulation \$ 0.15/sq. ft.
- > radiant barrier/thermal shield \$150
- > whole house fan \$100
- > attic fan \$ 40
- > ceiling fan (max. 2 per address) \$ 25
- > shade screens/window tinting \$ 0.50/sq. ft.

Note- The maximum allowable rebate under this program is \$250 per customer service address, with an additional \$150 allowance for air duct repairs, or an additional \$500 allowance for air duct replacement, if eligible. Customers must also consent to potential pre- and post-inspections of their property.

By installing some, or all, of the aforementioned energy conservation measures, residential customers may decrease monthly energy consumption from five percent, to as much as thirty percent (the actual energy savings will vary depending upon the number of conservation measures installed, the quality of installation and personal energy use patterns).

Adopt six resolutions authorizing the City Manager to allocate Public Benefit Programs and/or to execute contracts with professional service organizations for technical assistance for implementing designated Public Benefit-funded programs as identified below for FY07 (EUD):

- a) Lodi Solar Schoolhouse Project (\$25,000);**
- b) Lodi LivingWise Program (\$20,000);**
- c) Lodi Appliance Rebate Program (\$30,000);**
- d) Lodi Energy Efficient Home Improvement Rebate Program (\$70,000);**
- e) Lodi Commercial Rebate Program (\$25,000); and**
- f) Industrial Customer High Efficiency Rebate Program (\$140,000)**

August 2, 2006

Page 3 of 4

Lodi Commercial Rebate Program - \$25,000: Allocate funds to provide rebates to commercial customers under the electric rate classification of G-1 and G-2 for FY07. Specifically, the program offers a dollar-for-dollar rebate of up to \$250 for the purchase and installation of any/all of the following energy conservation improvements:

- ceiling fans; attic fans/ventilators; weather-stripping; attic insulation; air duct replacements/repairs; window tinting/shade screens/awning covers; Heating, Ventilation and Air Conditioning (HVAC)/refrigeration (such as an annual diagnostic and preventative maintenance service for each HVAC unit and/or refrigeration system).

In addition, eligible customers may receive a rebate of 15 percent or \$750 (which ever amount is *less*), for installing a high efficiency mechanical system (13+ Seasonal Energy Efficiency Rating (SEER) air conditioner), or a lighting improvement/retrofit.

Participating customers must be on the published G-1 or G-2 electric rate schedule, current on all City of Lodi utility charges and consent to a potential pre- and post-inspection. Since the programs inception, over 600 small businesses have reduced energy consumption by installing some or all of the aforementioned energy efficiency measures, and received a rebate from the City of Lodi. The average annual energy savings that can be achieved is 5 percent to 25 percent, depending upon the energy efficiency measure(s) installed.

Industrial Customer High Efficiency Rebate Program - \$140,000: Allocate funds to extend this energy conservation program for FY07. Eligible customers will have the opportunity to receive a maximum rebate of \$10,000 for qualifying projects, including: lighting retrofits, process/manufacturing equipment & heavy refrigeration improvements, chillers and mechanical equipment change-outs, building automation/energy management control systems improvements and building envelope retrofits.

An approved rebate will be based upon the following criteria:

- a minimum of 10 percent electric energy savings per energy efficiency measure installed;
- a minimum of 10 percent operations and maintenance savings per energy efficiency measure installed; and
- inclusion of all required engineering, design, labor, and materials documentation (a customer seeking a utility rebate must provide a detailed description of the energy efficiency project; calculated energy savings audit associated with the project; calculated operations and maintenance savings associated with the project; total “turn-key” cost of the project; design/engineering specifications, design drawings, equipment manufacturer cut sheets; and baseline energy consumption data of the existing equipment being removed).

The total rebate available in a 12-month period for qualifying projects (one per customer of record) is \$10,000. The rebate is calculated on total kilowatt-hour (kWh) savings; for FY07 program, the rebate per kWh of savings will be \$0.15 (i.e., if a customer develops, and presents to the utility, a project that will

Adopt six resolutions authorizing the City Manager to allocate Public Benefit Programs and/or to execute contracts with professional service organizations for technical assistance for implementing designated Public Benefit-funded programs as identified below for FY07 (EUD):

- a) Lodi Solar Schoolhouse Project (\$25,000);**
- b) Lodi LivingWise Program (\$20,000);**
- c) Lodi Appliance Rebate Program (\$30,000);**
- d) Lodi Energy Efficient Home Improvement Rebate Program (\$70,000);**
- e) Lodi Commercial Rebate Program (\$25,000); and**
- f) Industrial Customer High Efficiency Rebate Program (\$140,000)**

August 2, 2006

Page 4 of 4

save 50,000 kWh in a year, the total rebate 50,000 kWh 'x' \$0.15= \$7,500).

"The utility will advertise an "open season" for accepting industrial rebate applications and will award those proposals that are judged to have highest efficiency benefit/cost ratio. Based on past experience, EUD expects to receive qualified proposals well in excess of the proposed funding level."

FISCAL IMPACT: \$310,000

FUNDING: \$25,000 / 164608 – Public Benefits Program – Renewable Energy Resources
 \$285,000 / 164605 – Public Benefits Program – Demand-side Management

Ruby Paiste, Interim Finance Director

George F. Morrow
Electric Utility Director

Prepared By: Rob Lechner, Manager, Customer Service and Programs

GFM/RL/1st

Attachments

cc: City Attorney

‘Solar Schoolhouse Lodi’



Presented to:
City of Lodi Electric Utilities Department
Lodi, CA

Prepared by:
Tor Allen
The Rahus Institute
1535 Center Avenue - Martinez, CA 94553
t: 925-370-7262 f: 925-889-2322
tor@rahus.org

May 17, 2006

Solar Schoolhouse Lodi

Education Energized by the Sun

Background

Founded in 1998, The Rahus Institute is a 501c3 non-profit organization dedicated to the promotion of renewable energy and resource efficiency. Our efforts thus far have primarily been to promote the use of personal renewable power, ie. photovoltaics & small wind energy located at residential or commercial building sites. Activities have included: program support, workshops, presentations, exhibit design, website development, consultations, etc. The Rahus Institute does not sell renewable energy equipment nor receive commissions for the sales of any particular renewable energy equipment.

Solar Schoolhouse

The Solar Schoolhouse (SSh) is a statewide program under development by The Rahus Institute. The City of Lodi has been a key participant in the development of the program. Lodi is the first city to attempt a district-wide rollout of the program, following smaller pilot efforts in other communities. ***The overarching Goal of Solar Schoolhouse-Lodi is to increase Energy Literacy in schools and the community.***

Fourth year (2006-07) accomplishments for *Solar Schoolhouse Lodi* include:

- Two teachers attended the weeklong Summer Institute for Educators (Summer 2006)
- 330 Students participating in the Lodi Solar Schoolhouse Olympics [May 13th, 2006]
- 30 students participate in local solar car derby at Lodi Academy (SDA)
- Increased diversity in local participation for judges & volunteers at the Olympics, improving Lodi foundation.
- Enlisted assistance of local coordinator (Lynne Greulich) for Olympics and other logistics.
- Conducted Two Energy Smart Workshops for the community on topics of 'The Future of Renewable Energy' (Donald Aitken) and 'Solar for You' (Tor Allen)
- Assisted with special projects at several schools, including the building of 2 solar powered recreational boats.
- Co-sponsor of development of 'Your Solar Home' *Student Guidebook*, targeting grades 4-6, incorporating piloted lessons into complete guidebook. YSH Guidebook published in January 2006 and distributed to all participating teachers. Also distributed through Lodi USD Media Center.
- Co-sponsor of development of the film and book 'Solar Decathlon 2005 – A Solar Village on the National Mall'. The DVD follows the process of designing, building, and competing in this unique solar home competition. As a teaching tool, the DVD and book help to illustrate a wide variety of solar design principles using real buildings.
- Conducted Solar Schoolhouse Olympics orientation for participating teachers.
- Lodi activities featured in 2006 Solar Schoolhouse Calendar for 2006. Calendar distributed within Lodi and to 5000 teachers statewide.
- Installation of 3 Solar PV Pole mount systems – 1 kW each at 3 schools (completion summer 06)

Third year (2004-05) accomplishments for *Solar Schoolhouse Lodi* include:

- Three teachers attended the weeklong Summer Institute for Educators
- 255 Students participating in the Lodi Solar Schoolhouse Olympics [May 7th, 2005]
- Greater diversity in local participation for judges & volunteers at the Olympics, improving Lodi foundation.
- Enlisted assistance of local coordinator (Lynne Greulich) for Olympics and other logistics.
- Conducted Two Energy Smart Workshops for the community on topics of 'Energy Future' and 'Solar Power', averaging 60 attendees at each workshop

- Assisted with projects at several schools. Revision of school fountain project at 2 Lodi USD schools.
- Formed a Lodi Solar Schoolhouse Working Group, consisting of teachers actively integrating solar energy activities in their classrooms. Working Group to share their experiences in June 2005 with educational community.
- Co-sponsor of development of 'Your Solar Home' *Student Guidebook*, targeting grades 4-6, incorporating piloted lessons into complete guidebook.
- Conduct several Solar Primer workshops for teachers and resource specialist at LUSD Media Center.
- Lodi activities featured in inaugural Solar Schoolhouse Calendar for 2005

Second year (2003-04) accomplishments for *Solar Schoolhouse Lodi* include:

- One teacher attending the weeklong Summer Institute for Educators
- Expand outreach to middle and high schools
- Conduct 2 full day workshops – 1) Model Solar Home Building; and 2) Solar Fountain Design/Build.
- First Solar Schoolhouse Olympics May 15th.
- Olympics stimulates numerous after school solar energy clubs to work on projects.
- Co-sponsorship of development and creation of 'Your Solar Home' Video. Completion late May 2004.
- 'Your Solar Home' video distribution to all participating schools – late May 2004.
- Continued support for teachers developing classroom lessons based on Solar Cell & Solar Technology Kits.
- Develop solar project tip sheets for cars, model homes, fountains, ovens, sculptures.
- Develop connection between Photosynthesis and Photovoltaics as classroom connection. Fact sheet developed.

First year (2002-03) accomplishments for *Solar Schoolhouse Lodi* include:

- Conduct full-day teacher workshop for k-8 private schools in Lodi
- Conduct 2 full-day workshops for Lead Science (k-6) Teachers of Lodi Unified School District
- Conduct full-day solar car/fountain/pond project-based workshop for teachers
- Develop set of standards-based lessons for k-6 grade levels
- Provide Solar Technology Kits and Solar Cell Classroom Kits to LUSD and private schools
- Develop and provide Renewable Energy Resource Library for LUSD and private schools
- Assisted with special projects: Solar Cars at St. Anne's and Ecovillage at SDA.
- Develop and provide solar toolkit to Africa-bound Lodi teacher. Teacher will send updates on 1year teaching experience.

Project Status

Solar Schoolhouse Summer Institute – For educators from Lodi have attended the Solar Schoolhouse Summer Institute for Educators, over the past 2 years. The Summer Institute is a 5 day session of project building and hands-on activities, designed to provide educators a solid foundation for integrating solar energy projects in their classrooms. Joel Hadsall and Isabel Cuerpo of Bear Creek HS (LodiUSD) attended in 2005 and now include solar activities in their classrooms. Several additional Lodi educators will be attending the summer institute in 2006.

More on the Summer Institute Experience is posted online at

http://www.solarschoolhouse.org/ssh/ssh_sie2006.html

<http://www.solarschoolhouse.org/solareclips/2003.10/20031014-7.html>

<http://www.californiasolarcenter.org/solareclips/2004.06/20040706-1.html>

Solar Schoolhouse Olympics (SSO). In an effort to attract new and *non-science* teachers to explore solar energy education and projects for their classrooms, the Solar Schoolhouse Olympics debuted successfully in Spring of 2004. In it's 3rd year, the May 13th 2006 event attracted 330 student participants.

Guidelines have been developed which describe the events (model solar home, solar cooker, model solar cars, solar hot water heater, sculpture, solar fountain, art, public service announcement (PSA), solar comics). The Olympics have stimulated a lot of activity and interest in building projects and attracting non-science teachers. Event kits were developed and distributed free to teachers wishing to participate on a first-come/first-serve basis (example: solar module plus gears/wheels for the model solar car event). A webpage was set up to provide documents and tips for teachers of the Lodi program.

<http://www.solarschoolhouse.org/oldssh/sso/lodi/sso-lodi.html>

Several workshops were offered this past year to provide teachers a better sense of project building and solar energy basics, and to prepare them for working with their students.

Teachers have indicated that the Solar Schoolhouse Olympics provides a goal helping to motivate students to participate.

In 2006, local coordinator Lynne Greulich helped coordinate many of the local logistics. Lynne helped recruit volunteer judges from the community, worked on site logistics, delivered event kits, and much more. Additionally, a new game, called 'Who wants to be an Energy Expert?', was introduced to test students' knowledge of the topics. Questions were taken from the 'Your Solar Home' video and Local Lodi Energy Facts.

This event is becoming a Lodi mainstay. In 2006-07, we plan to strengthen the foundation of the event, such that it can stand on it's own. Toward this goal, an organizing committee will be formed - made up of participating teachers and volunteer judges.

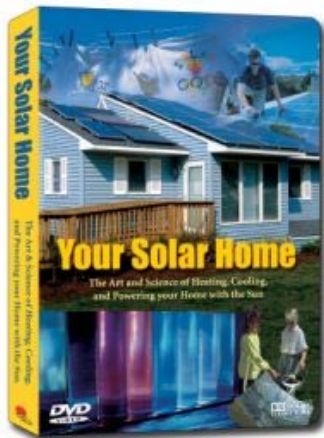


Andy Miller (Nichols Elementary) with his winning solar cooker entry (May 2006)

In an effort to increase participation, we plan to continue recruiting more schools to participate through early advertising, and scheduling workshops for teachers, consultations for students, and including testimonials from participating teachers.

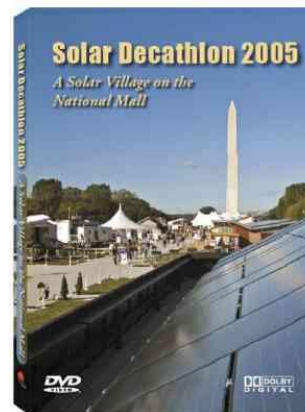
Teacher Workshops: A limited number of workshops were scheduled this year. Teacher workshops continue to be a primary method of reaching a greater number of classrooms in an efficient manner. With input from Lodi Educators, a schedule of workshops will be established and distributed early in the school year. In 2006-07, we will also look at opportunities to partner with SMUD in offering Solar Primer workshops to Lodi teachers, sharing the cost to offer such workshops.

Material Development: As with all Solar Schoolhouse projects, new materials evolve during the course of the year. In partnership with a few other co-sponsors, we completed an instructional video titled “*Your Solar Home – The Art and Science of Heating, Cooling, and Powering your Home with the Sun*”. The video is intended to act as an introductory to the classroom, providing terminology and the basic scientific principles. Videos were distributed to schools in the Lodi area in Fall 2004 and to all new participating schools. The YSH video provides a solid base for 4-6 grade science, teaching about thermal energy (conduction, convection, and radiation) as well as converting sunlight to electricity. It has also served older classes well.

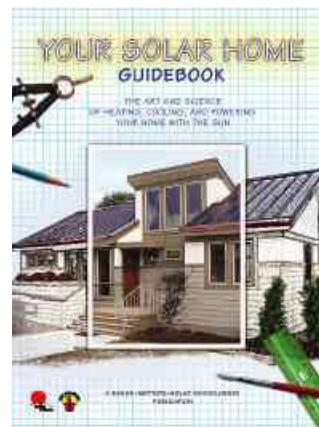


The ‘sequel’ to the YSH video, tentatively titled “*Solar Decathlon 2005 – A Solar Village on the National Mall*” is set to debut on May

25, 2006. The Solar Decathlon (www.solardecathlon.org) is an event where universities across the country design, build, and assemble Zero Energy Homes on the MALL in Washington DC for series of competitions. These homes all have the same goal, which is to be net zero energy consumers. Yet, they accomplish this goal in a variety of ways. Nowhere else can you find this diversity of true zero energy homes. The video and book (near completion) will document the homes, with a special focus on the team from Cal Poly San Luis Obispo, as the California representative. This new resource, together with the YSH video, will provide an excellent reference for students designing model solar homes. Copies will be available to Lodi Educators. A special showing is planned for the community.



YSH – Student Guidebook – A guidebook is complete and was published in January 2006. The guidebook is targeted toward 4th through 6th grade, providing a set of reading and activities, that all lead toward a culminating project – the model home. This guidebook is the result of piloting lessons in classrooms these past few years, and will provide a definitive resource for introducing solar energy education in the classroom. Copies have been distributed to participating teachers and also through the LODIUSD Instructional Media Center. We will continue to make these available to interested teachers in the coming year.



Grid-tie Solar Electric systems with Realtime monitoring–

A small (<1000watt) solar electric systems will be installed at the 3 winning Solar Schoolhouse Olympics schools. One Elementary, Middle and High School. Rahu is currently working to pre-certify a single pole mount design through the California Division of State Architect(DSA), the construction authority for k-12 schools in California. Rahu will work with the Lodi Unified facilities management to install the pole-mount systems. As of May 2006, the design is currently going through DSA. Installation is expected to be completed in the summer. A ground-breaking dedication is schedule for June 13th, 2006 at Reese Elementary to celebrate the students efforts.



Grid-tie pole mount design for winning schools of Solar Schoolhouse Olympics '04

A real-time monitoring system will record performance data and make the system accessible to students, teachers, and the community via the internet. Rahu, in collaboration with Fat Spaniel Technologies, has developed a set of interactive webpages to present the data. A low cost hardware solution makes this an affordable approach, such that there will be several systems which can be compared/studied in the local area. The web solution will maximize the educational value of these systems. In addition to their own school performance, students can compare with schools across the country. http://www.solarschoolhouse.org/newssh/schooldata_live.html



Main Data page for all schools with grid-tie solar electric systems

Sustainable Solutions Grants – Introduced this year to provide teachers funding for innovative projects. Three schools applied and received grants for a total of \$2350. Projects include the After School Energy Program at Nichols School lead by Larry Shinn. We plan to offer these small grants again next school year.

Project Description

Building upon the progress made these past 4 years (2002-06), several tasks are proposed for Year 5 of the program, designed to support the accelerated adoption of curriculum, expand the outreach to broader audience, and enhance the experience. Proposed tasks are described below.

Task 1. Energy Smart Workshops – Clean Energy Topics

Based on the great response to Clean Energy topic workshops conducted in this past year, Rahun will continue work with Lodi Electric to establish a regularly scheduled workshop/lecture series for the public. The series will be presented under the name ‘Lodi Energy Smart Workshop’ name, and is proposed as a means to bring a variety of subjects to the community of Lodi. Lectures will be held at Hutchins Street Square, typically once a month starting in September. Potential topics include: Wind Energy, Hydrogen Fuel Cells, Solar Electric for Commercial Applications, The Language of Energy, History of Solar Energy Use, Biodiesel – alternatives to gasoline, etc. Each workshop will have handouts, and a set of web resources for participants to explore the topic further.

The workshops are open to both community members and local students, providing an extension for students to explore additional topics not available at their schools. Several teachers have indicated that they would give students extra credit for attending the workshops. The Energy Smart Workshop series is an opportunity to create a dialogue with community members and provide a forum to learn and discuss energy topics and issues.

Additional, the idea of a Sustainable Energy Film Series will be explored, as a venue to air timely films for presentation and discussion.

Task 2. Sustainable Solutions Grant

2006-07 we will offer mini grants of up to \$750 to Lodi Educators to help fund projects and activities they would like to implement at their schools. The grants will be awarded on competitive basis, early in Fall 2006. Educators will be required to provide a written assessment of their experiences at the end of the year. In this manner, new, effective and interesting activities and approaches, can be identified and shared with others in the area. A total of 5 mini-grants are proposed. Rahun will manage the solicitation and award process. Rahun will also provide assistance to the schools in form of consultation and/or assistance in finding materials.

Task 3. Enhance materials and provide additional support

Work with Lodi Unified School District and Lodi private schools to identify additional material needs to support the training initiated during school year 2006-07. Explore new approaches to reach greater numbers of teachers in the K-12 grade levels. Build upon the relationships that we’ve established to help make it an integral part of school curriculum. Examples include exploring the Regional Occupation Program.

Task 4. Lodi Solar Schoolhouse Olympics

This event is on it’s way to becoming a Lodi mainstay event. 330 students participated in 2006. Interest continues to grow. The diversity in events allows schools to pick an event that they are interested in participating. For 2007, an organizing committee will form to foster continued local ownership of the event. Rahun is adapting the guidelines, developed over the past 3 years, into a Guidebook for local communities to use in running their own Solar Schoolhouse Olympics. Rahun will provide the guidelines, orientation, teacher/student support, free event kits, and conduct the event. May 19th, 2007 is the proposed date for 2007. Lodi High School has become the default host.

Task 5. Solar Schoolhouse Summer Institute -

Scholarships for up to **3** educators from Lodi Schools. Teachers attending this summer seminar will learn about the science and history of heating, cooling and powering our homes with the Sun. Participants will build solar cookers, model passive solar homes, solar electric cars/fountains, and conduct energy audits. We will visit several local low-energy, solar buildings to see these designs in practice. In addition to learning the science of proper building design (e.g. thermodynamics, electricity, seasonal changes) and how to fit these exercises into your curriculum, participants will walk away with practical knowledge that they can apply in their own lives. Integrating solar energy education into your curriculum can provide an element of excitement and hope for the future. Educators attending the summer session will continue to develop as mentors for other teachers at their school/district.

http://www.solarschoolhouse.org/ssh/ssh_sie2006.html

Task 6. Teacher training workshops

Our strategy for information dissemination continues to focus on a “train-the-trainers” approach. By conducting workshops for teachers we hope to provide them with a level of comfort with the subject, such that they take ownership and integrate these subjects into their classroom. In this manner, renewable energy becomes a default lesson (or lessons) at the school, and is not dependent on funding cycles. While we have made progress in reaching more educators this current year via workshops, we propose conducting **1** full-day and several after-school workshops during FY06-07, to continue the momentum. We plan on enlisting veteran ‘solar’ teachers to help teach the workshops, such that they will be able to teach these solo in the future.



July 2006 Solar Schoolhouse Calendar featuring Lodi

Task 7. Consulting

Provide consulting on solar and renewable energy topics on an as-needed basis. Topics can include: legislation, incentive program design, customer support, interconnection issues, etc.

Project Team

Primary Team members are:

Tor Allen *Executive Director, The Rahus Institute*

Founder of The Rahus Institute, a non-profit, educational organization with a focus on renewable energy

A graduate of University of California, Santa Barbara with a B.S. and M.S. in Mechanical Engineering, Tor has more than 14 years experience in the renewable energy field including: design, research, marketing, program and policy development, installation work, and teaching. Current projects include: The California Solar Center—a web-based source of solar energy information relevant to California; Solar e-Clips—a monthly e-newsletter covering current stories and legislative updates; organizing Solar Forums throughout California; coordinating the California PV Utility Manager working group; and Solar Schoolhouse—a hands-on, project-based solar for schools program.

Hal Aronson, Ph.D, *Co-Director, The Rahus Institute, Solar Schoolhouse*

Hal develops curriculum and resource kits on renewable energy and energy conservation and conducts training seminars for the Solar Schoolhouse program. Hal's work as a carpenter in the early 80's led to the design and construction of a passive solar off-grid home for his parents in the Santa Cruz area, providing a hands-on, real world experience that can be brought into the classroom. Hal holds a Ph.D. in Environmental Sociology, an M.A. in Sociology, a single-subject teaching certificate, and a B.A. in Politics from the University of California, Santa Cruz.

Clay Atchinson, *Director of Media Development, The Rahus Institute*

An award-winning videographer and certified photovoltaic installer, Clay has an interdisciplinary B.A. in Environmental Studies and Fine Art, and an M.A. in Art Education. For several years, he has taught solar electricity and digital video production classes at colleges in the San Francisco Bay Area, including California State University, Sonoma. Clay wrote, directed, and produced the animations for the films *Your Solar Home* and *Solar Decathlon 2005*.

John Perlin, John Perlin has authored *A Golden Thread: Twenty-Five Hundred Years of Solar Architecture and Technology* (with Ken Butti), *A Forest Journey: The Story of Wood and Civilization*, and *From Space to Earth: The Story of Solar Electricity*. He was recently the principal researcher and writer of the documentary film *The Power of the Sun* with Nobel Laureates Dr. Walter Kohn and Dr. Alan Heeger. John assists in curriculum development, lab design, and educational materials.

For additional information visit www.rahus.org or www.solarschoolhouse.org

Rahus –Solar Schoolhouse Contract

This contract between The City of Lodi (hereinafter “Lodi”) and The Rahus Institute (hereinafter “Rahus”) sets forth the terms and conditions under which Rahus will provide the services described herein. Lodi and Rahus agree as follows:

SCOPE OF SERVICES

Rahus agrees to perform a solar energy education program for Lodi in strict conformity with the terms and conditions of this contract. Rahus will provide the following services to Lodi under this agreement:

- Develop and distribute a menu of educational options to Lodi Schools at beginning of school year
- Organize and Conduct 4th Annual Solar Schoolhouse Olympics- Spring 2007
- Help develop topics, speakers, and presentations for Lodi Energy Smart Workshop series and/or Sustainable Energy Film Series.
- Distribute new Solar Energy Curriculum materials to Lodi teachers – Your Solar Home (DVD and guidebooks), & Solar Decathlon 2005 DVD.
- Administer Sustainable Solutions Grant applications and distribution of funds.
- Provide project support in the classroom and via consultation with teachers.
- Enhance materials and provide additional support
- Draft and publish Project Highlights (aka ‘Class Notes’)
- Enhance LUSD Media Center as distribution center of RE materials/kits.
- Sponsor Educators to attend Solar Schoolhouse Summer Institute 2006
- Conduct 2 full day teacher training workshops
- Participate in the Annual Solar Schoolhouse Calendar, highlighting Lodi projects. Distribute to Lodi teachers.
- Consult on Renewable/Solar Energy topics as needed – eg. Solar on New Homes.

TERM OF AGREEMENT

The term of this agreement shall be from July 1, 2006 until June 30, 2007.

ADVERTISING, MARKETING, AND PUBLIC RELATIONS

Lodi and Rahus will share in the responsibility of any marketing and public relations associated with this project.

INSURANCE

Rahus agrees to maintain a \$1,000,000 general liability policy, vehicle liability policy, and workers compensation policy at all times for actions performed under this agreement. Lodi will be named co-insured/additionally insured on all policies.

CONTRACT PRICE AND TERMS

The overall budget for this project is not to exceed **\$25,000** through June 30, 2007. Rahus will be compensated for services rendered within 30 days of completion and final billing. Billing will be on a time and materials basis.

Hourly rates are as such:

Name	Position	Hourly Rate
Tor Allen	Executive Director Renewable Energy Specialist	\$85
Hal Aronson	Associate, Renewable Energy Educator	\$75
John Perlin	Associate, Solar Historian, Presenter	\$75
Anne McFarlin	Associate, Graphics	\$85
Dena Allen	Education Specialist (Curriculum development, teacher workshops)	\$65
Clay Atchison	Associate, Instructor, Graphic Design, Video Specialist	\$75

Budget

Item	Budget
Solar Schoolhouse Olympics - includes coordinator, prizes, event kits, day of event support, pre-event classroom support	\$5,000
Solar Schoolhouse Summer Institute for Educators sponsorships	\$2,100
Sustainable Solutions Grants for Educators, max: \$750/ea	\$3,000
Teacher professional development workshops	\$3,900
Energy Smart Workshops/Consulting - Renewable Energy	\$6,000
Materials distribution - YSH guidebook, additional kits, posters, displays	\$5,000
Total	\$25,000

COMPLIANCE WITH LAWS, PERMITS, AND LICENSES

Rahus shall maintain all applicable permits, licenses, and fees necessary to perform this contract. Rahus will also be responsible to ensure that any and all sub-contractors hired in connection with this contract maintain all applicable permits, licenses, fees, and insurances necessary to perform under the terms and conditions of this contract.

INDEMNITY CLAUSE

Rahus shall indemnify, defend, and hold harmless the City of Lodi, the City of Lodi Electric Utility, it's City Council, directors, officers, agents, and employees against all claims, loss, damage, expense, and liability arising out of or in any way connected with the performance of this contract and excepting only such loss, damage, or liability as may be caused by the intentional acts or sole negligence or the City of Lodi, and the City of Lodi Electric Utility.

AGREED AND ACCEPTED THIS _____ DAY OF _____ 2006

Tor E. Allen
Executive Director
The Rahus Institute

Manager, City of Lodi

Attorney, City of Lodi



PROGRAM PROPOSAL

Prepared for:

Lodi Electric Utility

April 2006

Submitted by:

Dave Munk, Program Manager



EXECUTIVE SUMMARY

Challenge – Efficient use of energy and water is essential for environmental and economic health. Yet it is difficult to design and implement programs that generate immediate, cost-effective savings results while simultaneously shaping new long term awareness and habits regarding resource efficiency. Budget and staff constraints, along with customer resistance to change, pose additional obstacles to program success.

Utilities are also pressured to fulfill additional objectives, such as demand management, branding, customer information, audits, market transformation and improved public image, while maintaining cost effectiveness.

Solution – The award-winning **LivingWise®** program produces a superior return on dollars spent. It directly solves these challenges of measurable conservation impact and cost effectiveness through a proven program format, featuring turnkey programs guaranteed to deliver quantifiable results by combining kits containing efficiency devices for home installation with creative education techniques, that inspire families to adopt new resource usage habits.

Students receive a kit of energy and water efficient devices, which are taken home, installed, and the learning experience shared with family members. They work on subjects required by state learning standards to understand and appreciate the value of natural resources in everyday life. This stimulating program shapes new behaviors and achieves instant savings results through a cost-effective mix of new product installation and resource efficiency knowledge, using the best messengers – children!

Additional Benefits –The quantifiable savings often serve as a basis for excellent PR and company image opportunities through local media coverage. The program provides complete implementation services, can be customized to the needs of the target audience, and can also deliver benefits of customer audit information, strategic partnerships/cost-sharing and promoting other company programs.

LivingWise® at a glance:

- ◆ Proven to deliver lasting quantifiable results and measurable savings.
- ◆ Simple and very cost-effective.
- ◆ All implementation services are included.
- ◆ Features a fun and interactive curriculum to shape new family habits and usage.
- ◆ Includes Resource Action Kits to directly install resource-efficient technologies in the home.

Savings Results – This proposal for the Lodi Electric Utility **LivingWise®** Program covers the implementation of a 442 household program. Projected resource savings from the program exceed 1,370,625 kWh of electricity (assumes 20% electric water heat), 150,280 therms of gas (assumes 80% gas water heat), and 3.2 million gallons each of water and wastewater.

Funding - Total program cost is \$19,978.40, based on a cost of \$41.25/student, plus sales tax and shipping. This includes all implementation, training, verification, and reporting.

PROGRAM GOALS

- ◆ Reduce residential energy and resource use.
- ◆ Develop community awareness about the importance of environmental issues.
- ◆ Reshape family habits and usage.
- ◆ Demonstrate cost effectiveness based on superior savings results, complete turnkey implementation, and satisfaction of sponsor objectives.
- ◆ Help generate excellent media coverage, build brand awareness and strengthen LEU's community image.
- ◆ Promote other LEU community programs.

PROGRAM OBJECTIVES

The LW program will reach 442 sixth grade students and teachers in Lodi during the 2006-2007 school year. The Program will fulfill the following objectives:

- ◆ Install 442 compact fluorescent lamps, 442 nightlights and 442 FilterTone® alarms
- ◆ Replace 442 showerheads and 442 kitchen aerators
- ◆ Check 600 toilets for leaks
- ◆ Collect household audit information for 442 homes
- ◆ Reshape family resource usage habits and attitudes for 442 households

PROGRAM DESCRIPTION

- ☑ **Delivers Measurable Savings Results.** Students conduct a simple home audit to determine areas where their families are using water and energy inefficiently. Family's work together to improve efficiency by changing usage habits, and through the installation of the conservation technologies provided to each student in their Resource Action Kit. Kits include conservation measures and simple test equipment to enable the family to determine the energy and resource conservation opportunities that exist in their home, while providing the installable resource conservation technologies to achieve quantifiable savings. These activities foster family cooperation and help educate parents on the benefits of resource conservation. Results are reported via affidavits signed by parents.
- ☑ **Energy Education.** The **LivingWise®** Program combines classroom activities with in-home hands-on retrofit projects that students perform with their families. This combination yields quantifiable conservation results and strong practical learning, effectively shaping new resource usage behavior and attitudes. The **LivingWise®** Program is fully turn-key and comprehensive, providing all materials, supplies, teaching tools and support needed by teachers and participants. Learning is measured via pre/post test comparisons.
- ☑ **Builds New Resource Habits.** New habits result from effective education and personal action. The program provides a wide range of teaching tools to maximize learning. The Adventures in Green Valley® CD-ROM is a powerful tool that helps develop new habits and behaviors, while providing information in a fun format. The feature-rich program website is a great resource for classes, teachers, and individuals, with information, chat room, and contests. Beyond these computer resources, the **LivingWise®** program provides videos, posters, workbooks, and varied activities to reach all types of learning preferences. New knowledge translates to action at home with the installation activities. Families discover first-hand the value of the new *knowledge and habits* they have acquired.

PROGRAM IMPLEMENTATION

Complete implementation services are included with the program. All training and communication with teachers, distribution of materials (program contents list is attached), collection of data, and report preparation are handled by the Program Fulfillment Center. *There is no obligation or additional cost to sponsors for any of these roles.*

LivingWise® Resource Action Kits are customizable and contain the following (can be modified):

- Adventures in Green Valley® CD-ROM Game
- 60w equivalent CFL
- Energy & Water Efficient Showerhead 2.0 G.P.M. max
- Electro luminescent Night Light
- FilterTone® Alarm
- Water Efficient Faucet Aerator (2.0 G.P.M. max)
- Air Temperature Monitor
- Water Temperature Check Card
- Toilet Leak Detector Tablets
- Mini Tape Measure
- Resource Facts Wheel Chart
- Flow Rate Test Bag
- Teflon Tape
- Recycled Cardboard Box

LivingWise® Student Activity Guides provide a concise set of activities to build knowledge of the importance and value of natural resources and their conservation. Emphasis is placed on home usage of energy and water resources, including efficiency and renewable energy,

Teachers receive complete Activity Guides and Answer Keys, plus Pre and Post Tests with answer keys, supplemental activities, quizzes, games and puzzles. Spanish language materials are offered. Activities cover all subject areas and address National and State Learning Standards.

TEACHER ACCEPTANCE

Program success is directly correlated to proactive teacher support and involvement. The design and content of the program is proven to motivate teachers to sign up and participate enthusiastically. There are several incentives offered by the program to ensure this:

1. The program satisfies numerous State Standards and helps teachers meet their teaching requirements.
2. The program is flexible in structure, allowing teachers to schedule activities around existing lessons. The program can be run in a week or a few months.
3. Program content and activities are comprehensive and well described through accompanying materials so that additional in-service training sessions are generally not necessary.
4. Students LOVE the program, and are both stimulated and highly motivated by the Resource Action Kits and the hands-on projects. Happy students mean happy teachers!

5. The program overcomes an often-challenging hurdle of parental involvement by reaching beyond the classroom to involve parents in their children's education and the schools.
6. Additional contests, promotions, and contact are used to maximize response.

PROGRAM RESULTS

Based on program experience, the following results are expected, using a conservative 10-year measure life. A breakdown of calculations is attached. Savings will continue into the future, since the installed hardware will remain in place, and new usage habits, attitudes, and knowledge will persist.

Projected 10-Year Savings Results:

- ◆ 1,370,625kWh of electricity (assuming 20% electric water heat)
- ◆ 150,280 therms of gas (assuming 80% gas water heat)
- ◆ 3 million gallons of water
- ◆ 3 million gallons of wastewater

Qualitative results include the following:

- ◆ Increased knowledge of conservation issues by students and families confirmed by pre and post test comparisons
- ◆ Adoption of new resource conservation habits
- ◆ Favorable PR and community recognition for sponsors
- ◆ The opportunity for strategic alliances with other sponsors
- ◆ Cross promotion of other LEU programs to pre-qualified households
- ◆ Increased teacher participation in environmental and resource education programs
- ◆ Improved student attitudes toward school and greater parental involvement
- ◆ High levels of teacher and school satisfaction, reinforced by student enthusiasm, teacher incentives, and community recognition for the program and results

PROGRAM TIMETABLE

September 2006	Sponsor funding commitment
September –December 2006	Contact schools and teachers to collect participation commitments
October 2006 - March 2007	Program and kit delivery
October 2006 - May 2007	Program implementation
July 2007	Program Summary Report delivered

PROGRAM BACKGROUND

The first version of the Learning to be Water Wise and Energy Efficient® Resource Action Program was introduced in 1994, following extensive market research and material development. The unique and award-winning blend of environmental teaching materials combined with a Resource Action Kit was the first school-to-home, hands-on conservation program available. Tremendous acceptance caused participation to grow to more than 800,000 participants within the first few years. The emergence of new environmental issues led to the evolution of the Programs to include coverage of pollution, transportation, and renewable resources. These topics are now included in the newest Resource Action Program – **LivingWise®**.

PROGRAM AWARDS

- ◆ 1997 EPA Award for Environmental Excellence
- ◆ Council for Environmental Sustainability Certificate of Environmental Achievement
- ◆ Governor's Clean Texas Award for Environmental Excellence 1996 and 2002
- ◆ Texas Water Conservation Association: Outstanding Water Conservationist of the Year
- ◆ U.S. Bureau of Reclamation Water Conservation & Education Mentor Award 1995, 1998
- ◆ Renew America/Awards Council for Environmental Sustainability Certificate of Environmental Achievement
- ◆ 2002 Spirit of the Land Award for Excellence in Environmental Education
- ◆ 2002 Colorado Alliance for Environmental Education Award for Excellence

PROGRAM BUDGET

Program costs are all-inclusive. There are no additional charges for implementation, reporting, training or materials. *Additionally, no manpower is required from sponsors.*

LivingWise® Program	\$41.25 per student or teacher plus sales tax (7.75%) and shipping @ \$.75 each.
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For 442 families, the cost will be \$19,978.40, including sales tax and shipping.

CONTRACT

This contract between The City of Lodi (hereinafter "Lodi") and Resource Action Programs, a California Corporation (hereinafter "RAP"), sets forth the terms and conditions under which RAP will provide the services described herein. Lodi and RAP agree as follows:

SCOPE OF SERVICES

RAP agrees to administer the **LivingWise® Program** (LW) for the City of Lodi, in strict conformity with the terms and conditions of this contract. RAP will provide all necessary implementation services to deliver the LivingWise® Program for up to four hundred forty-two (442) Lodi households under this agreement.

Implementation Services will be provided by RAP, and are outlined in the attached program proposal dated April 2006. These services include:

- all teacher/educator outreach and enrollment
- teacher training and ongoing support
- distribution of materials (program contents list is provided in proposal)
- data collection and tabulation
- report preparation

TERMS OF AGREEMENT

The term of this agreement shall be from the earliest possible implementation date after Lodi City Council approval, through June 30, 2007, or whenever funds are exhausted, whichever comes earlier.

ADVERTISING, MARKETING, AND PUBLIC RELATIONS

All advertising, marketing and/or outreach to teachers or educators in the Lodi School District will be the responsibility of RAP.

INSURANCE

For actions performed under this agreement, RAP agrees to maintain all necessary insurance requirements set forth by Lodi (as identified in the instructions/requirements for insurance coverage page).

CONTRACT PRICE AND TERMS

RAP will invoice for all shipped LW program units requested by teachers at a unit cost of \$44.00, plus \$.75 shipping and any applicable taxes. Invoices will be payable within thirty (30) days of the invoice date.

The total project budget cost will not exceed \$20,000; the goal of the program is to impact between 400 and 442 Lodi students and their families.

COMPLIANCE WITH LICENSES

No additional anticipated licenses required to comply with this project.

INDEMNITY CLAUSE

RAP shall indemnify, defend, and hold harmless the City of Lodi, the City of Lodi Electric Utility, it's City Council, Directors, Officers, Agents, and employees against all claims, loss, damage, expense, and liability arising out of, or in any way connected with the performance of this contract and excepting only such loss, damage, or liability as may be caused by the intentional acts or sole negligence of the City of Lodi, and the City of Lodi Electric Utility.

**2006-2007 LivingWise Program
CONTRACT ACCEPTANCE**

THE ABOVE TERMS AND CONDITIONS ARE AGREED UPON, AND
ACCEPTED ON THIS _____ DAY OF JULY, 2006.

CITY OF LODI

Blair King
CITY MANAGER

Date

Resource Action Programs

Date

ATTEST:

Jennifer M. Perrin
City Clerk

APPROVED AS TO FORM:

D. Stephen Schwabauer
City Attorney

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING PUBLIC BENEFIT PROGRAM FUNDS, AND
FURTHER AUTHORIZING THE CITY MANAGER TO
EXECUTE NECESSARY PROFESSIONAL SERVICES
AGREEMENTS

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NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council hereby approves Public Benefit Program funds for the following program extensions and/or renewals as follows:

- 1) Lodi Solar Schoolhouse Project - \$25,000 as shown on the project description marked Exhibit A attached hereto.
- 2) Lodi LivingWise Program - \$20,000 as shown on the project description marked Exhibit A attached hereto.
- 3) Lodi Appliance Rebate Program - \$30,000 as shown on the project description marked Exhibit A attached hereto.
- 4) Lodi Energy Efficient Home Improvement Rebate Program - \$70,000 as shown on the project description marked Exhibit A attached hereto.
- 5) Lodi Commercial Rebate Program - \$25,000 as shown on the project description marked Exhibit A attached hereto.
- 6) Industrial Customer High Efficiency Rebate Program - \$140,000 as shown on the project description marked Exhibit A attached hereto.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to execute Professional Services Agreements required for each Public Benefit Program.

Dated: August 2, 2006

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I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 2, 2006, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

JENNIFER M. PERRIN
Interim City Clerk

2006-_____

1. **Lodi Solar Schoolhouse Project - \$25,000:** Allocate funds to continue this energy education project for private and public school students and educators for FY07. The project funds the annual Lodi Solar Schoolhouse Olympics, teacher mini-grants for solar-related projects, and professional services provided by the Rarus Institute (this organization provides assistance to Electric Utility staff regarding renewable energy resources, such as solar and wind technology). Also by way of this Council action, a professional services contract with the Rarus Institute will be extended for the 2006-2007 fiscal year.

2. **Lodi LivingWise Program - \$20,000:** Allocate funds to extend this energy conservation program for FY07. This program provides students and teachers at Lodi area schools with a useful tool that demonstrates energy and water conservation. For the 2006-2007 school year, EUD is once again proposing to provide up to 442 energy and water conservation kits to 6th grade students throughout Lodi. Each kit contains a compact fluorescent lamp, an Electro luminescent (energy efficient) Night Light, a low-flow showerhead, faucet aerators, a water leak test for toilets, teflon tape, tape measure, air temperature monitor, an energy efficiency CD-ROM game, tips on energy/water conservation, and specific ways to weatherize/insulate the home. There are kit pre-installation and post-installation course discussions that are provided to the instructors, to ensure that the students are fully engaged in the project. To "kick-off" the project, an Electric Utility staff member visits each classroom to reinforce the significance of the project and discuss the importance of energy/water conservation.

3. **Lodi Appliance Rebate Program - \$30,000:** Allocate funds to extend this energy conservation program for FY07. This program provides specific rebates for energy efficient refrigerators, energy efficient dishwashers, and energy/water efficient clothes washers. Under the program, eligible customers would receive the following rebates:

> EnergyStar® refrigerator	\$50 rebate
> EnergyStar® dishwasher	\$25 rebate
> EnergyStar® clothes washer	\$75 rebate

Customers must purchase the aforementioned home appliance(s) from one of the six participating Lodi retailers, including: Anderson's Maytag, Ben's Appliance, Kundert & Bauer, Les' Appliance, Lowe's of Lodi, and Reo's Appliance.

EnergyStar® appliances consume, on average, twenty percent to thirty-five percent less electricity annually than a standard home appliance (refrigerator, dishwasher and clothes washer), which makes the purchase and installation of a high efficiency home appliance an extremely attractive, and cost effective, energy conservation measure.

4. **Lodi Energy Efficient Home Improvement Rebate Program - \$70,000:** Allocate funds to extend this energy conservation program for FY07. This program provides specific rebates for air duct replacement, air duct repair, attic insulation, radiant barriers, whole house fans, attic fans, ceiling fans, and windows/shade screens/window tinting for residential customers.

For the 2006-2007 fiscal year, the EUD is proposing the following conservation measures, and rebate amounts:

> air duct replacement	\$500
> air duct repair	\$150
> attic/wall insulation	\$ 0.15/sq. ft.
> radiant barrier/thermal shield	\$150
> whole house fan	\$100
> attic fan	\$ 40
> ceiling fan (max. 2 per address)	\$ 25
> shade screens/window tinting	\$ 0.50/sq. ft.

Note- The maximum allowable rebate under this program is \$250 per customer service address, with an additional \$150 allowance for air duct repairs, or an additional \$500 allowance for air duct replacement, if eligible. Customers must also consent to potential pre- and post-inspections of their property.

By installing some, or all, of the aforementioned energy conservation measures, residential customers may decrease monthly energy consumption from five percent, to as much as thirty percent (the actual energy savings will vary depending upon the number of conservation measures installed, the quality of installation and personal energy use patterns).

5. **Lodi Commercial Rebate Program - \$25,000:** Allocate funds to provide rebates to commercial customers under the electric rate classification of G-1 and G-2 for FY07. Specifically, the program offers a dollar-for-dollar rebate of up to \$250 for the purchase and installation of any/all of the following energy conservation improvements:

- ceiling fans; attic fans/ventilators; weather-stripping; attic insulation; air duct replacements/repairs; window tinting/shade screens/awning covers; Heating, Ventilation and Air Conditioning (HVAC)/refrigeration (such as an annual diagnostic and preventative maintenance service for each HVAC unit and/or refrigeration system).

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In addition, eligible customers may receive a rebate of 15 percent or \$750 (whichever amount is less), for installing a high efficiency mechanical system (13+ Seasonal Energy Efficiency Rating (SEER) air conditioner), or a lighting improvement/retrofit.

Participating customers must be on the published G-1 or G-2 electric rate schedule, current on all City of Lodi utility charges and consent to a potential pre- and post-inspection. Since the programs inception, over 600 small businesses have reduced energy consumption by installing some or all of the aforementioned energy efficiency measures, and received a rebate from the City of Lodi. The average annual energy savings that can be achieved is 5 percent to 25 percent, depending upon the energy efficiency measure(s) installed.

6. **Industrial Customer High Efficiency Rebate Program - \$140,000:** Allocate funds to extend this energy conservation program for FY07. Eligible customers will have the opportunity to receive a maximum rebate of \$10,000 for qualifying projects, including: lighting retrofits, process/manufacturing equipment & heavy refrigeration improvements, chillers & mechanical equipment change-outs, building automation/energy management control systems improvements, and building envelope retrofits.

An approved rebate will be based upon the following criteria:

- a minimum of 10 percent electric energy savings per energy efficiency measure installed;
- a minimum of 10 percent operations and maintenance savings per energy efficiency measure installed; and
- inclusion of all required engineering, design, labor, and materials documentation (a customer seeking a utility rebate must provide a detailed description of the energy efficiency project; calculated energy savings audit associated with the project; calculated operations and maintenance savings associated with the project; total "turn-key" cost of the project; design/engineering specifications, design drawings, equipment manufacturer cut sheets; baseline energy consumption data of the existing equipment being removed).

The total rebate available in a 12-month period for qualifying projects (one per customer of record) is \$10,000. The rebate is calculated on total kilowatt-hour (kWh) savings; for FY07 program, the rebate per kWh of savings will be \$0.15 (i.e., if a customer develops, and presents to the utility, a project that will save 50,000 kWh in a year, the total rebate $50,000 \text{ kWh} \times \$0.15 = \$7,500$).

"The utility will advertise an "open season" for accepting industrial rebate applications and will award those proposals that are judged to have highest efficiency benefit/cost ratio. Based on past experience, EUD expects to receive qualified proposals well in excess of the proposed funding level."



CITY OF LODI

COUNCIL COMMUNICATION

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AGENDA TITLE: Ordinance No. 1781 Entitled, “An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 5 – Permits And Regulations – Chapter 5.40, ‘Adult-Oriented Businesses,’ by Repealing and Reenacting Section 5.40.020, ‘Location of Adult-Oriented Businesses,’ to Add ‘Residentially-Zoned Property’ to the List of Land Uses Subject to Distance Regulations Regarding the Location of Adult-Oriented Businesses; and Repealing and Reenacting Section 5.40.400(D)(1) to Delete the Requirement that Employees of Adult-Oriented Businesses be Fingerprinted as Part of the Employee License Process”

MEETING DATE: August 2, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1781.

BACKGROUND INFORMATION: Ordinance No. 1781 entitled, “An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 5 – Permits And Regulations – Chapter 5.40, ‘Adult-Oriented Businesses,’ by Repealing and Reenacting Section 5.40.020, ‘Location of Adult-Oriented Businesses,’ to Add ‘Residentially-Zoned Property’ to the List of Land Uses Subject to Distance Regulations Regarding the Location of Adult-Oriented Businesses; and Repealing and Reenacting Section 5.40.400(D)(1) to Delete the Requirement that Employees of Adult-Oriented Businesses be Fingerprinted as Part of the Employee License Process” was introduced at the regular City Council meeting of July 19, 2006.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov’t Code § 36934.**

Ordinances take effect 30 days after their final passage. **Cal. Gov’t Code § 36937.**

This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Jennifer M. Perrin
Interim City Clerk

JMP
Attachment

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. 1781

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING LODI MUNICIPAL CODE TITLE 5 – PERMITS AND
REGULATIONS – CHAPTER 5.40, “ADULT-ORIENTED BUSINESSES,”
BY REPEALING AND REENACTING SECTION 5.40.020, “LOCATION
OF ADULT-ORIENTED BUSINESSES,” TO ADD “RESIDENTIALLY-
ZONED PROPERTY” TO THE LIST OF LAND USES SUBJECT TO
DISTANCE REGULATIONS REGARDING THE LOCATION OF ADULT-
ORIENTED BUSINESSES; AND REPEALING AND REENACTING
SECTION 5.40.400(D)(1) TO DELETE THE REQUIREMENT THAT
EMPLOYEES OF ADULT-ORIENTED BUSINESSES BE
FINGERPRINTED AS PART OF THE EMPLOYEE LICENSE PROCESS

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Lodi Municipal Code Title 5 – Permits and Regulations – Chapter 5.40, “Adult-Oriented Businesses,” Section 5.40.020, is hereby repealed and reenacted to read as follows:

5.40.020 - Location of Adult-Oriented Businesses.

From and after adoption of this chapter, no person shall establish, conduct, or permit to be established or conducted any adult-oriented business within one thousand feet of any church, school, playground, child care center, residentially zoned property, or adult-oriented business.

For the purposes of this section, the distance between uses shall be measured in a straight line without regard to intervening structures from the closest exterior wall of each business or use.

Adult-oriented businesses in existence on the effective date of this chapter are deemed nonconforming uses, which may continue subject to the provisions of Section 17.69.030.

SECTION 2. Lodi Municipal Code Title 5 – Permits And Regulations – Chapter 5.40, “Adult-Oriented Businesses,” Section 5.40.400(D)(1), is hereby repealed and reenacted to read as follows:

5.40.400(D)(1) – A color photograph of the applicant clearly showing the applicant’s face. Any fees for the photograph shall be paid by the applicant.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 4. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 6. This ordinance shall be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2006

SUSAN HITCHCOCK
Mayor

Attest:

JENNIFER M. PERRIN
Interim City Clerk

=====

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, Interim City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1781 was introduced at a regular meeting of the City Council of the City of Lodi held July 19, 2006, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1781 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
Interim City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney

By _____
Janice D. Magdich
Deputy City Attorney



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Ordinance No. 1782 Entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 17 – Zoning – Chapter 17.39, 'C-2 General Commercial District,' and Chapter 17.42 'C-M Commercial-Light Industrial District,' to Add Cardrooms as a Permitted Use with a Use Permit in both the C-2 and the C-M Districts"

MEETING DATE: August 2, 2006

PREPARED BY: City Clerk

RECOMMENDED ACTION: Motion waiving reading in full and (following reading by title) adopting the attached Ordinance No. 1782.

BACKGROUND INFORMATION: Ordinance No. 1782 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 17 – Zoning – Chapter 17.39, 'C-2 General Commercial District,' and Chapter 17.42 'C-M Commercial-Light Industrial District,' to Add Cardrooms as a Permitted Use with a Use Permit in both the C-2 and the C-M Districts" was introduced at the regular City Council meeting of July 19, 2006.

ADOPTION: With the exception of urgency ordinances, no ordinance may be passed within five days of its introduction. Two readings are therefore required – one to introduce and a second to adopt the ordinance. Ordinances may only be passed at a regular meeting or at an adjourned regular meeting; except for urgency ordinances, ordinances may not be passed at a special meeting. Id. All ordinances must be read in full either at the time of introduction or at the time of passage, unless a regular motion waiving further reading is adopted by a majority of all council persons present. **Cal. Gov't Code § 36934.**

Ordinances take effect 30 days after their final passage. **Cal. Gov't Code § 36937.**

This ordinance has been approved as to form by the City Attorney.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Jennifer M. Perrin
Interim City Clerk

JMP

Attachment

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. 1782

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING LODI MUNICIPAL CODE TITLE 17 – ZONING –
CHAPTER 17.39, “C-2 GENERAL COMMERCIAL DISTRICT,” AND
CHAPTER 17.42 “C-M COMMERCIAL-LIGHT INDUSTRIAL
DISTRICT,” TO ADD CARDROOMS AS A PERMITTED USE WITH
A USE PERMIT IN BOTH THE C-2 AND THE C-M DISTRICTS

=====

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Lodi Municipal Code Title 17 – Zoning – Chapter 17.39, “C-2 General Commercial District,” is amended to add Section 17.39.025 as follows:

17.39.025 – Permitted Uses – Use Permit.

The following uses are permitted in the C-2 district subject to securing a use permit:

- A. Cardroom, as defined by Section 5.12.010(A) of this Code.

SECTION 2. Lodi Municipal Code Title – Zoning – Chapter 17.42, “C-M Commercial-Light Industrial District,” is amended to add Section 17.42.025 as follows:

17.39.025 - Permitted Uses – Use Permit.

The following uses are permitted in the C-M district subject to securing a use permit:

- A. Cardroom, as defined by Section 5.12.010(A) of this Code.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 4. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 6. This ordinance shall be published one time in the “Lodi News-Sentinel,” a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2006

SUSAN HITCHCOCK
Mayor

Attest:

JENNIFER M. PERRIN
Interim City Clerk
=====

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, Interim City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1782 was introduced at a regular meeting of the City Council of the City of Lodi held July 19, 2006, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2006, by the following vote:

AYES: COUNCIL MEMBERS –

NOES; COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. 1782 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
Interim City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney

By _____
Janice D. Magdich
Deputy City Attorney